



SUBMISSION

TO THE 145th SESSION OF THE HUMAN RIGHTS COMMITTEE

Adoption of the list of issues prior to reporting (LOIPR)

BOSNIA AND HERZEGOVINA

**Conscientious objection to military service,
recruitment of children in armed conflict and related issues**

January 2026

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INTRODUCTION

The first part of this submission concerns the right to conscientious to military service in the State party, especially as far as it concerns volunteer / professional members of the armed forces (arts. 18 and 26). The second part concerns the issue of asylum / international protection for conscientious objectors from other countries (e.g. Eritrea), which is also particularly important in view of the ongoing war in Ukraine (arts. 12, 18, and 26). The third part is dedicated to the need for explicit prohibition and criminalisation of the recruitment and use in armed conflict of persons under the age of 18 years (art. 24). The final part contains suggested questions related to the above issues for the list of issues prior to reporting.

THE RIGHT TO CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Background

As it has been recognised by the Human Rights Committee (hereinafter the Committee): “The right to conscientious objection to military service inheres in the right to freedom of thought, conscience and religion. It entitles any individual to an exemption from compulsory military service if this cannot be reconciled with that individual’s religion or beliefs. The right must not be impaired by coercion.”¹

According to the European Bureau for Conscientious Objection (hereinafter EBCO), conscientious objection to military service was first recognised in Bosnia and Herzegovina in 1996.² However, and despite the fact that conscription is currently not enforced, whether there are adequate legislative provisions complying with international human rights law and standards, especially as for volunteer / professional members of the armed forces, remains a question.

International standards regarding the right to conscientious objection to military service for volunteer / professional members of the armed forces

The **OHCHR**, in its **minimum** criteria in order for the provisions for conscientious objection to military service to be in line with international human rights norms and standards, has explicitly and repeatedly stated that: “The right to conscientious objection should be recognized for conscripts, for **professional members of the armed forces** and for reservists.”³ (emphasis added)

The **Committee** has advocated as well for the right to conscientious objection to military service for serving / professional members of the armed forces. In the case of another State party, (Latvia), the Committee has recently recommended in its Concluding Observations: “**Consider revising the legislative framework to provide for honourable discharges on grounds of conscience, and to ensure that individuals who receive early termination from military service on those grounds do not face financial or other penalties.**”⁴ Besides Latvia, the Committee has **included in recent years the issue of conscientious objection to military service for serving members of the armed forces in the Lists of issues prior to reporting** of further State parties.⁵

The right to conscientious objection for professional soldiers has been also explicitly recognized at the level of the Council of Europe, to which Bosnia and Herzegovina is a member. In 2001, the **Parliamentary Assembly of the Council of Europe** has recommended the Committee of Ministers to invite those member states that have not yet done so to introduce into their legislation “the right to be registered as a conscientious objector at any time: before, during or after conscription, or performance of military service” and “the right for permanent members of the armed forces to apply for the granting of conscientious objector status”.⁶

Indeed, the **Committee of Ministers of CoE** recommended in 2010:

“H. Members of the armed forces have the right to freedom of thought, conscience and religion. Any limitations on this right shall comply with the requirements of Article 9, paragraph 2 of the European Convention on Human Rights.

40. Members of the armed forces have the right to freedom of thought, conscience and religion, including the right to change religion or belief at any time. Specific limitations may be placed on the exercise of this right within the constraints of military life. Any restriction should however comply with the requirements of Article 9, paragraph 2, of the Convention. There should be no discrimination between members of the armed forces on the basis of their religion or belief.

[...]

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.”⁷

The **Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE**, has also explicitly mentioned in its recommendations that “Conscientious objection should be available both for conscripts and for professional soldiers both prior to and during military service, in line with the recommendations of international bodies”.⁸

The **UN Human Rights Council** has also moved towards this direction by stating that it “acknowledges that an increasing number of States recognize conscientious objection to military service **not only for conscripts but also for those serving voluntarily** and encourages States to allow applications for conscientious objection prior to, during and after military service, including reserve duties”.⁹

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Failure to recognise the right to conscientious objection for volunteers / professional members of the armed forces

According to the reply of the Ombudsperson of Bosnia and Herzegovina to EBCO’s Questionnaire in January 2025:

- “There is no military conscription in Bosnia and Herzegovina at the moment”.¹⁰
- “The legal provisions that currently regulate the enlistment to the Armed Forces of BiH, taking effect in 2005, stipulate solely professional admission to the Armed Forces of BiH. Earlier regulations stipulating military recruitment, have not been in force since 2004, i.e. mandatory military service has been abolished.”¹¹
- “AFA BiH does not stipulate the minimum duration of the contract, but according to information we have, it should not be shorter than three years.”¹²
- “Reserve service or the reserve component of AF BiH has not been formed yet because of the lack of funds and thus there has been no call-up so far.”¹³

Concerning conscientious objection to military service, to the question “What legislation or regulations would apply to the case of a serving member of the armed forces who applied for release having developed conscientious objection?”, the Ombudsperson replied:

“Given that it is a person who has signed a contract to join the Armed Forces of Bosnia and Herzegovina with the Ministry of Defence of Bosnia and Herzegovina, the Contract and Tort Act would apply as in the case of termination of any other contract and possibly a dispute would be resolved in a civil procedure.”¹⁴ Adding also, as for the procedures in the event of an application, that they would be “As foreseen for any other termination based on a personal application for termination.”¹⁵

As for information available to serving personnel about the right of conscientious objection and the means of applying for release, the Ombudsperson replied:

“As far as we know, the same as for all other personal applications, i.e. there is no special information pertaining to this area. In reports of the Parliamentary Military Commissioner we haven’t noticed that these issues have been raised.”¹⁶

As for the number of applications and the number of acceptances, the Ombudsperson replied that “We have no information on that”.¹⁷

Based on the above, it appears that **there are no specific provisions in the legislation recognising the right to conscientious objection to military service for volunteer / professional members of the armed forces**, consequently, no special information is given to the members of the armed forces about this right, and there are no data available about applications and possible acceptances or rejections. As for other ways to terminate contract, these are unclear and it is doubtful whether they could genuinely accommodate conscientious objection to military service without consequences and discrimination (as it is usual in cases of states which do not have specific provisions recognising the right to conscientious objection to military service for professional members of the armed forces). The above indicate **a failure of the State party to genuinely recognise the right to conscientious objection to military service for volunteer / professional members of the armed forces and bring its legislation and practice in line with international human rights law and standards, including the Covenant.**

➤ **The importance of including conscientious objection to military service in the *list of issues prior to reporting***

Taking into consideration:

- that in the past, persons who served in arms and participated in the war, even as volunteers, have become Jehovah’s Witnesses and consequently conscientious objectors to military service;¹⁸
- the continuously evolving international standards on the right to conscientious objection to military service, including the **recent recommendations of the Committee** about serving / professional members of the armed forces in cases of other State parties;
- the failure of the State party to fully bring its legislation and practice in line with such international human rights standards, as explained above;
- reports indicating **considerations to reintroduce mandatory military service**;¹⁹
- the increased militarisation, rearmament or even preparations for war in Europe, putting under pressure the right to conscientious objection to military service, something which civil society, including Connection e.V., has highlighted;²⁰

it is currently of particular importance to include the issue of conscientious objection to military service in the *list of issues prior to reporting*, especially as for the serving / professional members of the armed forces.

THE RIGHT TO INTERNATIONAL PROTECTION FOR FOREIGNER CONSCIENTIOUS OBJECTORS TO MILITARY SERVICE

Main international standards regarding international protection for conscientious objectors to military service

A non-exhaustive compilation of international standards on the issue of international protection of conscientious objectors to military service follows:

- the UNHCR has included the issue of persecution of conscientious objectors in its guidelines for international protection. The UNHCR has also clarified that “Such an objection is not confined to absolute conscientious objectors [pacifists], that is, those who object to all use of armed force or

participation in all wars. It also encompasses those who believe that ‘the use of force is justified in some circumstances but not in others, and that therefore it is necessary to object in those other cases’ [partial or selective objection to military service].²¹ A conscientious objection may develop over time, and thus volunteers may at some stage also raise claims based on conscientious objection, whether absolute or partial.”²²

- the OHCHR has also highlighted²³:
 - the Human Rights Council has encouraged States “to consider granting asylum to those conscientious objectors to military service who have a well-founded fear of persecution in their country of origin owing to their refusal to perform military service when there is no provision, or no adequate provision, for conscientious objection to military service”²⁴
 - UNHCR has noted that a well-founded fear of persecution may arise after an applicant has left her or his country of origin, owing to circumstances arising in the country of origin during the applicant’s absence and/or as a result of her or his own actions after she or he has left the country of origin, for example for having expressed objections or taken a stance against a situation of armed conflict and violence.²⁵
 - in 2019, the Working Group on Arbitrary Detention reminded States to respect, protect and fulfil the right to personal liberty of conscientious objectors to military service by exercising due diligence to prevent their expulsion, return (refoulement) or extradition to another State where there are substantial grounds for believing that they would be in danger of being subjected to arbitrary deprivation of liberty.²⁶
 - in its general comment No. 4 (2017), the Committee against Torture noted that “violations of the right to freedom of thought, conscience and religion” (as well “desertion from the national armed forces or armed groups”) were indications of the complainant’s personal risk and that the Committee would assess “substantial grounds” and consider the risk of torture as foreseeable, personal, present and real when the existence of facts relating to the risk by itself, at the time of its decision, would affect the rights of the complainant under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in case of the complainant’s deportation.²⁷

More recently, the OHCHR has stressed: “States should respect and protect the rights of conscientious objectors arriving from third States, including through adherence to the principle of non-refoulement and international human rights and refugee law and the implementation and dissemination of guidance on the interpretation of applicable international law, such as the UNHCR guidelines on international protection on claims to refugee status related to military service.”²⁸

There is an evolving jurisprudence of the European Court of Human Rights, which takes into consideration the issue of conscientious objection to military service as for the expulsion of persons.²⁹

Conscientious objectors refugees and asylum seekers in Bosnia and Herzegovina

Concerning the question of asylum applications citing conscientious objection to military service, and relevant statistics, the Ombudsperson replied to EBCO:

“We have no such statistics.

Based on monitoring the case law, we know that the Asylum Department of the Ministry of Security of BiH previously rejected asylum applications filed by persons who indicated that they did not want to serve in the military service of their countries of origin (in this case, Eritrea) in the period between 2012 and 2014. We do not have access to complete asylum applications, so we cannot fully confirm to what extent conscientious objection was cited.

After these judgments of the Court of Bosnia and Herzegovina; judgment no: S1 3 U 0010098 12 U, dated 13 June 2012 ; judgment of the Court of BiH, no, S1 3 U 001010012 U, dated 14 June 2012; judgment of the Court of BiH, no S1 3 U 010097 12 U, dated 13 June 2012 judgment of the Court of BiH no S1 3 U 007612 11 U, dated 2 February 2012,

the administrative body changed its practice and in 2014 recognized the status of the above-mentioned persons (BiH MoD Decision no UP-01-07/1-41-1-67-9/13, dated 14 April 2014). We have no information regarding the practice of courts and administrative bodies over the past few years, with the proviso that for example, the status of asylum seekers was recognized for three persons from Eritrea in 2019, but we do not know on what grounds.”³⁰

Taking into consideration:

- the lack of adequate recognition of the right to conscientious objection to military service in the State party itself;
- broader concerns regarding asylum procedures. (For example, in the context of the 4th Cycle of the Universal Periodic Review, it has been reported that: “The Institution of Human Rights Ombudsman of Bosnia and Herzegovina (IHROBiH) had received cases from foreign nationals who faced obstacles in seeking asylum [...] because of illegal actions of competent services in asylum procedures in Bosnia and Herzegovina.”³¹)
- the lack of statistics on approvals/rejections of those asylum applications that are citing conscientious objection;

there is a serious concern about the treatment of possible foreign conscientious objectors from States with no adequate recognition of the right to conscientious objection to military service (e.g. Eritrea) who could have sought or would seek international protection in Bosnia and Herzegovina.

Particular concerns are raised about potential conscientious objectors from countries directly or indirectly involved in the regional conflict (**Russian Federation, Ukraine, and Belarus**), who might be subjected in their countries of origin to **arbitrary detention**,³² **forced conscription**³³ and even **torture or ill-treatment**.³⁴

THE NEED FOR EXPLICIT PROHIBITION AND CRIMINALISATION OF THE RECRUITMENT AND USE IN ARMED CONFLICT OF CHILDREN UNDER THE AGE OF 18 YEARS

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Bosnia and Herzegovina has ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 10 October 2003 and upon ratifying has made the following declaration:

“The State of Bosnia and Herzegovina will not permit voluntary recruitment into its national armed forces of any person under age of 18. Such provision is incorporated into the Law on Defense of Federation of Bosnia and Herzegovina ("Official Gazette of Federation of Bosnia and Herzegovina" No. 15/96, 23/02, 18/03) and Law on Army of Republika Srpska ("Official gazette of Republika Srpska" No 31/96, 96/01), and is in compliance with Optional Protocol to the Convention on the Rights of the Child that was ratified by Bosnia and Herzegovina.”³⁵

Indeed, in 2010, the **Committee on the Rights of the Child**, in its Concluding Observations concerning the report submitted by Bosnia and Herzegovina under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict has stated:

“4. The Committee notes with appreciation:

- (a) The declaration made at the time of ratification that the State party will not permit the voluntary recruitment of persons under the age of 18 into its armed forces;
- (b) The adoption of the Law on Defence of Bosnia and Herzegovina in January 2006, which abolished conscription and set the minimum age of recruitment for military service at 18 years”.³⁶

However, the **Committee on the Rights of the Child** also stated:

“IV. Prohibition and related matters

Criminal legislation and regulations in force

13. While noting the prohibition of organizing, training, equipping or mobilizing armed groups (other than the armed forces) under article 162.a of the Criminal Code of Bosnia and Herzegovina and that the Law on Service in Armed Forces of Bosnia and Herzegovina indirectly prohibits the recruitment of children, the Committee is concerned that the recruitment and use in armed conflict of persons under the age of 18 is not explicitly prohibited nor criminalized in State and Entity level legislation.

14. The Committee recommends that the State party adopt all legal measures necessary to ensure, at both State and Entity level, that the violation of the provisions of the Optional Protocol regarding the recruitment and involvement of children in hostilities are explicitly criminalized in the State party's criminal legislation."³⁷

In 2012, in the context of the consideration of consolidated 2nd to 4th periodic reports of Bosnia and Herzegovina concerning the Convention on the Rights of the Child, the **Committee on the Rights of the Child** reiterated its recommendation:

“Children in armed conflict

68. The Committee reiterates its previous observations made upon consideration of the initial report of Bosnia and Herzegovina under the Optional Protocol on the involvement of children in armed conflict, in which the Committee, in particular, expressed its concern that the recruitment and use in armed conflict of persons under the age of 18 years is not explicitly prohibited nor criminalized in State and entity-level legislation (CRC/C/OPAC/BIH/CO/1, paras. 13-14).

69. The Committee reiterates its recommendation that the State party adopt all legal measures necessary to ensure, at the State, entity, and district levels, that the violation of the provisions of the Optional Protocol regarding the recruitment and involvement of children in hostilities be explicitly criminalized in the State party's criminal legislation."³⁸

The issue was also highlighted in the context of the **2nd Cycle of the Universal Periodic Report**. In the Compilation of UN information, it was noted:

“9. CRC expressed its concern that the recruitment and use in armed conflict of persons under the age of 18 years was not explicitly prohibited nor criminalized in State and Entity level legislation.”^{39,40}

Subsequently, Bosnia and Herzegovina, as the State under review, received also a recommendation:

“107.19 After the implementation of the action plan for children in Bosnia and Herzegovina for the period 2002–2010, continue developing programmes for the protection of children, particularly on the fight against child exploitation for begging, **their possible recruitment and use in armed conflicts**, their protection in judicial processes, as well as their separation from adults in places of detention (Chile)”.⁴¹ (emphasis added)

The recommendation was partially accepted, with the State under review stating:

“Recommendations 107.19., [...] are partially accepted.

Recommendation 107.19

As a continuation of on-going activities to implement the UN Convention on the Rights of the Child, in July 2011, the Council of Ministers adopted the Action Plan for Children in Bosnia and Herzegovina for the period 2011 – 2014, which defined the priority objectives and measures to take for the protection of children. The Republika Srpska Government believes that the development of programmes to protect children is within exclusive competence of the Entities, while the Government of the Federation of Bosnia and Herzegovina has accepted the recommendation. The recommendation is acceptable insofar as it relates to possible recruitment and use of children in armed conflicts and to fulfilment of international obligations and commitments under international conventions.”⁴²

In 2019, in the context of the consideration of the combined fifth and sixth periodic reports of Bosnia and Herzegovina concerning the Convention on the Rights of the Child, the **Committee on the Rights of the Child** reiterated its recommendation:

“Follow-up to the Committee’s previous concluding observations on the Optional Protocol on children in armed conflict

49. Recalling its previous concluding observations (CRC/C/BIH/CO/2-4, para. 69, and CRC/C/OPAC/BIH/CO/1), the Committee recommends that the State party implement its recommendations, in particular by:

(a) Explicitly prohibiting and criminalizing the recruitment and use in hostilities of children under the age of 18 by non-State armed groups in the legislation at the State, entity and district levels;”⁴³

➤ Considering the above, it is important to include the issue in the *list of issues prior to reporting*, in order to give the opportunity to the State party to report on whether such recommendation has been adequately implemented.

SUGGESTED QUESTIONS FOR THE LIST OF ISSUES PRIOR TO REPORTING

The right to conscientious objection to military service for volunteer / professional members of the armed forces and reservists

- Please, provide information on whether the right to conscientious objection to military service is recognised for volunteer / professional members of the armed forces. If yes, please, provide details of the relevant provisions in law. If not, please, elaborate on any plans to introduce such legislation.
- Please, elaborate on other procedures for early release and termination of contract, relevant conditions and requirements, potential consequences and whether resignations can be denied and for what reasons.
- Please, elaborate on the possible disciplinary, criminal, administrative or other punishment and consequences of a professional member of the armed forces who would leave the armed forces after developing conscientious objection to military service.

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The right to international protection for foreigner conscientious objectors to military service

- Please, provide statistics on approvals / rejections of those asylum applications that are citing conscientious objection to military service.
- Please, elaborate on measures taken to guarantee the right to asylum / international protection for conscientious objectors to military service who are at risk of persecution in their country of origin owing to their refusal to perform military service when there is no provision, or no adequate provision, for conscientious objection to military service, and especially to conscientious objectors asylum-seekers from the Russian Federation, Ukraine, and Belarus.

The need for explicit prohibition and criminalisation of the recruitment and use in armed conflict of children under the age of 18 years

- Please, elaborate on measures taken in order to implement the repeated recommendation of the Committee on the Rights of the Child concerning the need for explicit prohibition and criminalisation in the legislation, at the State, entity, and district levels, of the recruitment and use in armed conflict / hostilities of children under the age of 18 years.

¹ See, *Min-Kyu Jeong et al. v. Republic of Korea* (CCPR/C/101/D/1642-1741/2007), para. 7.3.

<https://undocs.org/CCPR/C/101/D/1642-1741/2007>

See also: *Jong-nam Kim et al. v. Republic of Korea*, para. 7.4; *Abdullayev v. Turkmenistan*, para. 7.7; *Mahmud Hudaybergenov v. Turkmenistan*, para. 7.5; *Ahmet Hudaybergenov v. Turkmenistan*, para. 7.5; *Sunnet Japparow v. Turkmenistan*, para. 7.6; *Akmurad Nurjanov v. Turkmenistan*, para. 9.3; *Shadurdy Uchetov v. Turkmenistan*, para. 7.6; *Dawletov v. Turkmenistan*, para. 6.3 and others.

² EBCO, *Annual Report - Conscientious Objection to Military Service in Europe 2024*, Brussels, 5th June 2025, p. 37.

https://ebco-beoc.org/sites/ebco-beoc.org/files/2025-06-05-EBCO_Annual_Report_2024.pdf

³ A/HRC/41/23, 24 May 2019, para. 60(c). <https://undocs.org/A/HRC/41/23>

See also: A/HRC/50/43, 11 May 2022, para. 57(d). <https://undocs.org/A/HRC/50/43>

⁴ CCPR/C/LVA/CO/4, 3 September 2025. (paras. 37-38(b)). <https://docs.un.org/en/CCPR/C/LVA/CO/4>

See also: CCPR/C/BRB/QPR/4, 22 April 2025. (para. 21(b)). <https://docs.un.org/en/CCPR/C/BRB/QPR/4>

⁵ E.g. Austria: CCPR/C/AUT/QPR/6, para. 21(b). <https://docs.un.org/en/CCPR/C/AUT/QPR/6>

Barbados: CCPR/C/BRB/QPR/4, para. 21(b). <https://docs.un.org/en/CCPR/C/BRB/QPR/4>

⁶ Council of Europe, Parliamentary Assembly, Recommendation 1518 (2001), paras. 5.1 and 5.2.

<https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=16909&lang=en>

⁷ CM/Rec(2010)4 - Recommendation of the Committee of Ministers to member states on human rights of members of the armed forces (Adopted by the Committee of Ministers on 24 February 2010 at the 1077th meeting of the Ministers' Deputies).

<https://search.coe.int/cm?i=09000016805cf8ef>

⁸ OSCE, ODIHR, *Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel*, 2008, Chapter 10 Conscientious Objection to Military Conscription and Service, 4. Best Practices and Recommendations, p. 85 [second point].

<https://www.osce.org/files/f/documents/0/c/31393.pdf>

⁹ UN Human Rights Council, Resolution 24/17 (A/HRC/RES/24/17), 8 October 2013, para. 5.

<http://undocs.org/A/HRC/RES/24/17>

¹⁰ Response by the Human Rights Ombudsperson Institution of Bosnia and Herzegovina to EBCO questionnaire, dated 24 January 2025. Reply to question No. 1.

https://ebco-beoc.org/sites/ebco-beoc.org/files/attachments/BA_NHRI_Questionnaire%20for%202024%20EBCO%20Annual%20Report_ENG_response.d

https://ebco-beoc.org/sites/ebco-beoc.org/files/attachments/BA_NHRI_Questionnaire%20for%202024%20EBCO%20Annual%20Report_ENG_response.d

It can be accessed through <https://ebco-beoc.org/bosnia-herzegovina/2024> (accessed December 2025)

https://web.archive.org/web/20251226045234/https://ebco-beoc.org/sites/ebco-beoc.org/files/attachments/BA_NHRI_Questionnaire%20for%202024%20EBCO%20Annual%20Report_ENG_response.d

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https://ebco-beoc.org/sites/ebco-beoc.org/files/attachments/BA_NHRI_Questionnaire%20for%202024%20EBCO%20Annual%20Report_ENG_response.d

¹¹ Ibid. Reply to question No. 9.

¹² Ibid. Reply to question No. 21.

¹³ Ibid. Reply to question No. 23.

¹⁴ Ibid. Reply to question No. 41.

¹⁵ Ibid. Reply to question No. 42.

¹⁶ Ibid. Reply to question No. 43.

¹⁷ Ibid. Reply to question No. 44.

¹⁸ “Kingdom Proclaimers Report, Former Enemies United in Serving Jehovah”, The Watchtower, w96 3/1 p. 28, 1996.

<https://wol.jw.org/en/wol/d/r1/lp-e/1996166?q=Bosnia&p=doc#h=4>

¹⁹ Ismail Ozdemir and Almir Tezic, “Bosnia and Herzegovina considers reintroducing mandatory military service: Defense minister”, *Anadolu Agency*, 26.12.2024 - Update : 27.12.2024. <https://www.aa.com.tr/en/europe/bosnia-and-herzegovina-considers-reintroducing-mandatory-military-service-defense-minister/3435290>

²⁰ Quaker Council for European Affairs (QCEA), Pax Christi International, Pax Christi Scotland, Pax Christi Italy, Connection e.V., Un ponte per ETS and War Resisters’ International, “Europe is rearming once again: is our right to Conscientious Objection at risk?”, 12 December 2025.

<https://paxchristi.net/europe-is-rearming-once-again-is-our-right-to-conscientious-objection-at-risk/#>

²¹ See, UN Conscientious Objection to Military Service, E/CN.4/Sub.2/1983/30/Rev.1, 1985 (the “Eide and Mubanga-Chipoya report”), para. 21. <http://www.refworld.org/pdfid/5107cd132.pdf>

See also, paras. 128-135 regarding persecution in the context of conscientious objection to conflicts which violate basic rules of human conduct.

²² UNHCR: Guidelines on International Protection No. 10, para. 3.

<https://www.unhcr.org/sites/default/files/legacy-pdf/529efd2e9.pdf>

²³ United Nations, General Assembly, Conscientious objection to military service, Analytical report of the Office of the United Nations High Commissioner for Human Rights, (A/HRC/50/43), 11 May 2022, paras. 20-22.

<https://undocs.org/A/HRC/50/43>

²⁴ UN Human Rights Council, Resolution 24/17 (A/HRC/RES/24/17), 8 October 2013, para. 13.

<http://undocs.org/A/HRC/RES/24/17>

²⁵ UNHCR, Handbook on procedures and criteria for determining refugee status and guidelines on international protection, Reissued, Geneva, February 2019, p. 226. <https://www.refworld.org/pdfid/5cb474b27.pdf>

²⁶ UN Human Rights Council, “Arbitrary detention. Report of the Working Group on Arbitrary Detention”, (A/HRC/42/39),

16 July 2019, para. 63.

<http://undocs.org/A/HRC/42/39>

²⁷ Committee against Torture, “General comment No. 4 (2017) on the implementation of article 3 of the Convention in the context of article 22”, (CAT/C/GC/4), 4 September 2018, para. 45. <http://undocs.org/CAT/C/GC/4>

²⁸ UN Human Rights Council, Conscientious objection to military service, Report of the Office of the United Nations High Commissioner for Human Rights, (A/HRC/56/30), 23 April 2024, para. 58. <https://undocs.org/A/HRC/56/30>

²⁹ See for example ECtHR, *M.D. and others v. Russia*, paras. 45 and 110. <https://hudoc.echr.coe.int/eng?i=001-211791>

³⁰ Response by the Human Rights Ombudsperson Institution of Bosnia and Herzegovina to EBCO questionnaire, dated 24 January 2025. Reply to question No. 49.

<https://ebco-beoc.org/sites/ebco->

https://ebco-beoc.org/sites/ebco-beoc.org/files/attachments/BA_NHRI_Questionnaire%20for%202024%20EBCO%20Annual%20Report_ENG_response.d

[ocx](https://ebco-beoc.org/sites/ebco-beoc.org/files/attachments/BA_NHRI_Questionnaire%20for%202024%20EBCO%20Annual%20Report_ENG_response.d)

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<https://web.archive.org/web/20251226045234/https://ebco-beoc.org/sites/ebco->

https://ebco-beoc.org/files/attachments/BA_NHRI_Questionnaire%20for%202024%20EBCO%20Annual%20Report_ENG_response.d

[ocx](https://ebco-beoc.org/files/attachments/BA_NHRI_Questionnaire%20for%202024%20EBCO%20Annual%20Report_ENG_response.d)

³¹ A/HRC/WG.6/48/BIH/3, 5 November 2024, para. 8. <https://docs.un.org/en/A/HRC/WG.6/48/BIH/3>

³² E.g. CED/C/UKR/CO/1, 4 October 2024, paras. 51(d), 52(d). <https://docs.un.org/en/CED/C/UKR/CO/1>

OHCHR, *Report on the human rights situation in Ukraine, 1 September to 30 November 2024*, 31 December 2024, para. 91.

<https://ukraine.ohchr.org/sites/default/files/2025-01/2024-12->

[31%20OHCHR%2041st%20periodic%20report%20on%20Ukraine.pdf](https://ukraine.ohchr.org/sites/default/files/2025-01/2024-12-31%20OHCHR%2041st%20periodic%20report%20on%20Ukraine.pdf)

A/HRC/57/59, 13 September 2024, para. 150(p). <https://docs.un.org/en/A/HRC/57/59>

³³ A/HRC/54/54, 18 September 2023, paras. 78, 96-98, 112(s). <https://docs.un.org/en/A/HRC/54/54>

A/HRC/57/59, 13 September 2024, paras. 84-90, 101, 124. See also: 150(p), 151(e).

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OHCHR, *Report on the human rights situation in Ukraine, 1 September to 30 November 2024*, 31 December 2024, para. 91.

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³⁴ A/HRC/57/59, 13 September 2024, paras. 85, 86, 90, 150(p). See also 151(e). <https://docs.un.org/en/A/HRC/57/59>

A/79/508, 11 October 2024, paras. 67-69, 107, 113(e) and (p). <https://docs.un.org/en/A/79/508>

OHCHR, *Report on the human rights situation in Ukraine, 1 September to 30 November 2024*, 31 December 2024, para. 91.

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³⁵ https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&clang=_en#EndDec

³⁶ CRC/C/OPAC/BIH/CO/1, 26 October 2010, para. 4 (a) and (b). <https://docs.un.org/en/CRC/C/OPAC/BIH/CO/1>

³⁷ CRC/C/OPAC/BIH/CO/1, 26 October 2010, paras 13-14. <https://docs.un.org/en/CRC/C/OPAC/BIH/CO/1>

³⁸ CRC/C/BIH/CO/2-4, 29 November 2012, paras. 68-69. <https://docs.un.org/en/CRC/C/BIH/CO/2-4>

³⁹ [Note in the original] CRC/C/BIH/CO/2-4, para. 68; and CRC/C/OPAC/BIH/CO/1, para. 13.

⁴⁰ A/HRC/WG.6/20/BIH/2, 18 August 2014, para. 9. <https://docs.un.org/en/A/HRC/WG.6/20/BIH/2>

⁴¹ A/HRC/28/17, 4 December 2014, recommendation 107.19 (Chile). <https://docs.un.org/en/A/HRC/28/17>

⁴² A/HRC/29/G/4, 18 June 2015, p. 2. <https://docs.un.org/en/A/HRC/29/G/4>

⁴³ CRC/C/BIH/CO/5-6, 5 December 2019, para. 49. <https://docs.un.org/en/CRC/C/BIH/CO/5-6>