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Research report



Human Rights Council: Committee 1

The question of compulsory military service

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Introduction

Compulsory military service or 'Conscription' is the compulsory enlistment of people in a national service, most often a military service. Conscription dates back to antiquity and continues in some countries to the present day under various names. The modern system of near-universal national conscription for young men dates to the French Revolution in the 1790s, where it became the basis of a very large and powerful military. Most European nations later copied the system in peacetime, so that men at a certain age would serve 1–8 years on active duty and then transfer to the reserve force.

Conscription is controversial for a range of reasons, including conscientious objection to military engagements on religious or philosophical grounds; political objection, for example to service for a disliked government or unpopular war; and ideological objection, for example, to a perceived violation of individual rights. Those conscripted may evade service, sometimes by leaving the country, and seeking asylum in another country. Some selection systems accommodate these attitudes by providing alternative service outside combat-operations roles or even outside the military, such as 'Siviilipalvelus' (alternative civil service) in Finland, Zivildienst (compulsory community service) in Austria and Switzerland. Many post-Soviet countries conscript male soldiers not only for armed forces but also for paramilitary organisations which are dedicated to police-like *domestic only* service (Internal Troops) or *non-combat* rescue duties (Civil defence troops) – none of which is considered alternative to the military conscription.

As of the early 21st century, many states no longer conscript soldiers, relying instead upon professional militaries with volunteers enlisted to meet the demand for troops. The ability to rely on such an arrangement, however, presupposes some degree of predictability with regard to both war-fighting requirements and the scope of hostilities. Many states that have abolished conscription therefore still reserve the power to resume it during wartime or times of crisis. States involved in wars or interstate rivalries are most likely to implement conscription, whereas democracies are less likely than autocracies to implement conscription. Former British colonies are less likely to have conscription, as they are influenced by British anti-conscription norms that can be traced back to the English Civil War.

Definitions

Conscription: is the compulsory enlistment of people in a national service, most often a military service.

Military service: is service by an individual or group in an army or other militia, whether as a chosen job or as a result of an involuntary draft (conscription).

Civil War: a war between political factions or regions within the same country.

Military: the military establishment of a nation; the armed forces.

War: a conflict carried on by force of arms, as between nations or between parties within a nation; warfare, as by land, sea, or air.

Conscientious objector: A conscientious objector is an "individual who has claimed the right to refuse to perform military service" on the grounds of freedom of thought, conscience, or religion. In some countries, conscientious objectors are assigned to an alternative civilian service as a substitute for conscription or military service. Some

conscientious objectors consider themselves pacifist, non-interventionist, non-resistant, non-aggressive, anti-imperialist or antimilitarist.

Combat: fighting between armed forces.

Non-combatant: Non-combatant is a term of **art in the law of war and international humanitarian law**, describing civilians who are not taking a direct part in hostilities; persons—such as combat medics and military chaplains—who are members of the belligerent armed forces but are protected because of their specific duties (as currently described in Protocol I of the **Geneva Conventions**, adopted in June 1977); **combatants** who are placed **hors de combat**; and **neutral nationals** (including **military personnel**) who are not fighting for one of the belligerents involved in an **armed conflict**. This particular status was first recognized under the **Geneva Conventions** with the **First Geneva Convention of 1864**.

Geneva Protocol: The Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, usually called the Geneva Protocol, is a treaty prohibiting the use of chemical and biological weapons in international armed conflicts. It was signed at Geneva on 17 June 1925 and entered into force on 8 February 1928. It was registered in League of Nations Treaty Series on 7 September 1929. The Geneva Protocol is a protocol to the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War signed on the same date and followed the Hague Conventions of 1899 and 1907.

Key points

Seventy-three countries have some form of conscription or mandatory military service, including Austria, Israel, Mexico, Norway, Russia, and the United States. The rules vary greatly between countries. Some countries do not practice active conscription but have a mandatory selective service system that certain age groups must register for so conscription can be implemented if necessary. Countries with a system like this include Bermuda and the United States.

Some countries have mandatory conscription for all men of a certain age but allow for more flexible terms of service if men volunteer instead. Men 18 years and older in Mexico are required to serve a year in the army if conscripted and can only serve in the Air Force or Navy if they volunteer. Austria, Cyprus, Finland, Iran, and Switzerland all have mandatory military service but allow those conscripted to opt for a longer period of civilian or unarmed service instead.

Country Specifics

Countries with no enforced conscription: Afghanistan, Albania, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bosnia and Herzegovina, Botswana, Brunei, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chile, China (de facto), Comoros, Congo, Croatia, Czech Republic, Democratic Republic of Congo, Djibouti, Dominican Republic, Ecuador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Germany, Guyana, Honduras, Hungary, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lebanon, Lesotho, Liberia, Luxembourg, Macedonia, Madagascar, Malaysia, Malawi, Maldives, Malta, Mauritania, Montenegro, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saint Kitts and Nevis, San Marino, Saudi Arabia, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Tanzania, Timor-Leste, Tonga, Trinidad and Tobago, Uganda, United Kingdom, United States (de facto), Uruguay, Zambia and Zimbabwe.

Countries with both compulsory and voluntary military service: Bermuda, Burundi, Cape Verde, Colombia, France, Kuwait, Mali, Mauritania, Singapore, Sweden, Thailand, Venezuela. United States (While the United States does not technically have compulsory military service, all men between 18-25 must register in the Selective Service System so that conscription can be ready should the need for it arise.)

Counties with selective conscription: Benin, Cape Verde, Chad, Equatorial Guinea, Guinea-Bissau, Mali, Mexico, Niger, Senegal, Taiwan, Togo and Vietnam.

Civilian, unarmed, or non-combatant service option: Angola, Austria, Belarus, Cyprus, Denmark, Estonia, Finland, Iran, Mexico, Norway, Paraguay, Russia, Switzerland and Sweden.

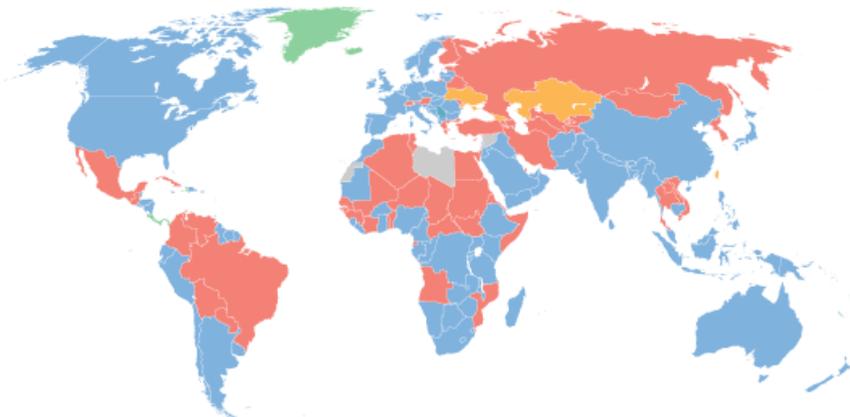
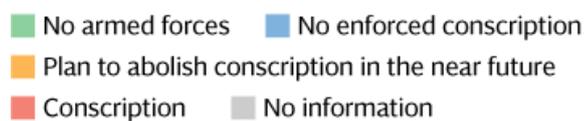
Countries where military service is limited to 1 year or less: Algeria, Bolivia, Brazil, Colombia, France, Greece, Guatemala, Kazakhstan, Moldova, Mongolia, Morocco, Paraguay, Qatar, Russia, Sweden, Taiwan, Tunisia, Turkey, Uzbekistan, Estonia.

Military service longer than 18 months: Armenia, Angola, Chad, Cuba, Eritrea, Equatorial Guinea, Guinea, Guinea-Bissau, Iran, Israel, North Korea, South Korea, Kyrgyzstan, Libya, Mali, Mauritania, Mozambique, Myanmar, Niger, Sao Tome and Principe, Senegal, Singapore, Somalia, Syria, Sudan, Tajikistan, Thailand, Turkmenistan, Togo, UAE, Vietnam and Yemen.

Conscription to be abolished in the near future: Ukraine, Kazakhstan, Georgia.

Compulsory military service for women: Cape Verde, Chad, Eritrea, Israel, Morocco, Norway, North Korea and Sweden.

Countries with no defense forces: Andorra, Costa Rica, Dominica, Federated States of Micronesia, Grenada, Iceland, Kiribati, Liechtenstein, Marshall Islands, Mauritius, Monaco, Nauru, Palau, Panama, Samoa, Solomon Islands, Tuvalu, Vanuatu, Vatican City.



Positives/ Negatives

Positives of compulsory military service:

- Educational experience, especially for people growing up in rough environments and who lack the self-discipline required to succeed in education or work.
- It ensures national security; With all eligible men and some women joining the military to work both in the frontlines and other areas of the military, there is an assurance that the nation will be safer and more secure at times of conflicts with other countries. This also ensures diversity in knowledge and skills from different enlisted men and women who have different educational backgrounds.
- It promotes unity among the citizens of the nations: Since almost all the citizens of the country will have to serve in the military at a certain point in their lives, there will have a sense of unity among the people. This will also make the citizens have a sense of patriotism and nationalism which are important values. In joining the military service, the people will also learn about how it is to work together and fight for their country.
- It fosters equality: Another advantage of this type of military service is the principle that everyone who is required and eligible to enlist is mandated to do so, regardless of social status or profession. This means that there are no special favors or exceptions except for what is required.

Negatives of compulsory military service:

- It goes against personal freedom. Some critics find this practice against the right of a person to act and decide on his or her own free will. Since all citizens of a country who fall under this category are required to join, people who are afraid to be in the

battle field or are not interested in military service will be forced to leave their private lives and serve the country.

- It leaves families devastated.

Deaths in wars are inevitable and the thought of having a member of your family fight in another country out of obligation is difficult and painful. The members of the family who are left behind can also be traumatised especially if tragedies strike like their son or daughter being killed while on duty. Moreover, it risks the lives of young people who should have been enjoying life instead of fearing for their lives.

- It can compromise the quality of service and the security of the nation.

Opponents also argue that not every person is cut to be in the military. Having said that, it is possible for a person who was enlisted and does not have the heart for military service to not be able to function and carry out orders. This can compromise the operations and can have a negative impact. Also, it takes proper training and skills to be in the military. If someone has a different educational background and was drafted to be sent to war, the time to train might be insufficient.

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