



EUROMIL aisbl

*(European Organisation of
Military Associations)*

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Contribution of EUROMIL on "Equal participation in political and public affairs"

About EUROMIL

The European Organisation of Military Associations (EUROMIL) is an umbrella organisation composed of 34 military associations and trade unions from 23 countries. It is the main Europe-wide forum for cooperation among professional military associations on issues of common concern. EUROMIL strives to secure and advance the human rights, fundamental freedoms and socio-professional interests of military personnel of all ranks in Europe and promotes the concept of "Citizen in Uniform". As such, a soldier is entitled to the same rights and obligations as any other citizen. EUROMIL particularly calls for recognition of the right of servicemen and -women to form and join trade unions and independent associations and for their inclusion in a regular social dialogue by the authorities. The organisation is an ECOSOC-accredited NGO.

Barriers to the participation of members of the armed forces in political and public affairs

EUROMIL would like to draw the attention of the OHCHR on discriminatory laws and practices, unduly limiting if not preventing military personnel from fully, effectively and equally enjoying their rights to participate in political and public affairs. The organisation would particularly like to highlight the following elements:

- **Right to vote and to stand for election**

In several countries, undue restrictions are placed on political rights of military personnel, including their right to vote and to stand for elections. Very often, military personnel are not allowed to join political parties.

- **Right to freedom of expression**

In most countries, military personnel do not enjoy their right to freedom of expression, especially when it concerns political issues, or only in a limited way. In recent years and on several occasions, EUROMIL denounced the unacceptable disciplinary measures including imprisonment of members of the armed forces for having expressed themselves publicly.



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- **Right to freedom of association**

In many countries, including in Europe, armed forces personnel are still prohibited from exercising their right to set up and join trade unions and professional associations. And, when allowed to organise themselves, representatives of military associations, as many human rights defenders, often face threats, harassment or sanctions.

- **Military associations**

Participation in public affairs includes influencing decision-making within civil society organizations or through dialogue with elected representatives. The role of civil society organisations has been recognized as essential, including for the promotion and protection of the rights to political and public participation. However, they face various forms of discrimination. The space for civil society and human rights defenders has been globally shrinking and military personnel are not spared by the crackdown on associative work.ⁱ

EUROMIL would like to recall that conditions for imposing restrictions to the rights listed above are clearly set in international legislation, which also specifies that restrictions should remain the exception and should not impair the right at the issue.

EUROMIL emphasises that the above-mentioned rights are internationally recognized as playing a direct role in enabling an equal and inclusive participation in political and public affairs. The right to participate in political and public affairs and associated rights such as the rights to freedom of association, freedom of peaceful assembly and freedom of expression are intrinsic to democratic societies and expressly recognized in all major international and regional human rights instruments. EUROMIL also recalls the broad concept given in the UN context to participation in the conduct of public affairs, including the participation in civil society, professional associations and trade unions to influence decision-making and ultimately formulate policy.

Therefore, EUROMIL stresses that military personnel should be guaranteed the full, effective and equal exercise of their electoral rights as well as their freedoms of expression, information, assembly and association, both in legislation and in practice, as a prerequisite to equally participate in political and public affairs. Furthermore, creating an enabling environment for military associations to function as human rights defenders and providing for complaint and redress mechanisms where the right to participate in political and public affairs has been violated, are additional conditions to ensure equal participation in political and public affairs for all.



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Recommendations to the equal participation of military personnel in political and public affairs

EUROMIL would therefore like to call on the OHCHR to take into consideration military personnel as a professional category that deserves specific care and recall that international standards and legislations should apply to all human beings, including those wearing uniforms.

EUROMIL would particularly like to refer to recommendations made in two important documents adopted at European level, namely the Recommendation CM/Rec (2010)4 of the Committee of Ministers of the Council of Europe on "Human rights of members of the armed forces" (articles I, J, K and L on the rights to freedom of expression, to have access to relevant information, to freedoms of peaceful assembly and of association with others and to vote and stand for election) and the OSCE/ODIHR and DCAF "Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel" (chapters 8 and 9 on civil and political rights and military unions and associations).

For any further information, please contact the EUROMIL Office by email euromil@euromil.org or phone: +32.2.626.06.80

ⁱ EUROMIL remains at the disposal of the OHCHR to provide examples of European country situations.