



SUBMISSION

TO THE 51st SESSION OF THE UNIVERSAL PERIODIC REVIEW

GEORGIA

**Conscientious objection to military service and
juvenile recruitment and military training with firearms**

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Contact:
Zaira Zafarana
International advocacy coordinator
zaira.zafarana@connection-ev.org

INTRODUCTION

1. This submission focuses on various aspects of the **right to conscientious objection to military service**, including:
 - a. **punitive and discriminatory length of the alternative civilian service**
 - b. **no specific provisions for professional members of the armed forces**
2. The submission also examines the issue of **juvenile military training involving the handling of firearms**. It further examines the **need to amend the Criminal Code by explicitly criminalizing the recruitment and use in hostilities of children below the age of 18 years by the armed forces and non-State armed groups**.

PREVIOUS RECOMMENDATIONS

3. Concerning **conscientious objection to military service**, during the **first cycle** of the **Universal Periodic Review (UPR)** of Georgia, “Slovenia took note of the concluding observations of the Human Rights Committee on the issue of conscientious objectors, in particular, the differences between the length of non-military alternative service and military service and asked what steps had been taken to address that difference. Slovenia made recommendations.”¹ The recommendation was: “Reduce the length of alternative service for conscientious objectors so that it is the same length as the military service”², and it was supported by Georgia.
 4. Worth noting that broader recommendations concerning the right to freedom of religion or belief were also among those supported by the State under review.³
 5. During the **second cycle**, in the Summary of Stakeholders’ information it was noted:

“47. Joint Submission (JS14) mentioned that Georgia supported the recommendation on reducing the length of alternative service for conscientious objectors so that it was the same length as the military service, but there had been no action to implement it.⁴ It noted that in 2011 a civilian alternative to reserve military duty had been introduced.^{5”}⁶
 6. Furthermore, Slovenia raised an advance question:

“We note that Georgia supported our previous recommendation to equalize the length of alternative service for conscientious objectors with the length of military service, but that there had been no action to implement it. What is the action plan and time frame to fully implement the norm that equalizes the length of alternative service for conscientious objectors with the military service?”⁷
 7. Apart from some broader recommendations concerning freedom of religion or belief⁸ (in which the right to conscientious objection to military service inheres⁹), no specific recommendation on conscientious objectors to military service appears in the second cycle.
 8. During the **third cycle**, in the Summary of Stakeholders’ information it was noted:

“69. The International Fellowship of Reconciliation (IFOR) stated that concerns remained about the discrepancy between the duration of alternative service and that of military service¹⁰.”¹¹
- However, no specific recommendation of States can be traced on this subject.
9. As for the issues of **juvenile military training involving the handling of firearms** and the **lack of explicit criminalisation of the recruitment of children**, it appears that no specific recommendations were made during the **first cycle**, neither during the **second cycle** although the issue of juvenile military training involving the handling of firearms or live munition was raised by civil society organisations¹².

During the **third cycle** the issue of juvenile military training involving the handling of firearms was raised again by civil society,¹³ but no relevant recommendation by States can be traced.

CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Punitive and discriminatory length of the alternative civilian service

10. In 2002, in its Concluding observations concerning the second periodic report of Georgia, the **Human Rights Committee** stated:

“18. The Committee expresses its concern at the discrimination suffered by conscientious objectors owing to the fact that non-military alternative service lasts for 36 months compared with 18 months for military service; it regrets the lack of clear information on the rules currently governing conscientious objection to military service.

The State party should ensure that persons liable for military service who are conscientious objectors can opt for civilian service the duration of which is not discriminatory in relation to military service, in accordance with articles 18 and 26 of the Covenant.”¹⁴

11. It should be emphasized that the Human Rights Committee invoked both article **18** of ICCPR, concerning **the right to freedom of thought, conscience and religion**, as well as article **26**, concerning **freedom from discrimination**.

12. In 2007, in its third periodic report, the State party informed that “within the period under review the duration of military service for the recruits was 18 months” and “the duration of non-military alternative service is longer and amounts to 24 months”.¹⁵ The issue was omitted in the concluding observations.

13. Worth noting that the State party justified the longer duration of the alternative civilian service by invoking the example of Austria: “the duration of non-military alternative service is longer and amounts to 24 months, which is a normal practice for many European countries (e.g. in Austria, the duration of compulsory military service is 6 months and the term of non-military alternative service is longer, namely, 9 months)”.¹⁶ In the case of Austria, eventually the Human Rights Committee found the situation problematic.¹⁷ The latter is even more important considering that, following reduction of the length of both the military (to 12 months) and the alternative service (to 18 months) in Georgia, the ratio between the two became equivalent (1.5 times, 150% increase) to that in Austria, and thus punitive and discriminatory.

14. The issue of the punitive and discriminatory length of the alternative civilian service has been noted also throughout the years by the **OHCHR**.¹⁸

15. According to the most recent annual report of the European Bureau for Conscientious Objection (EBCO), in Georgia, in **2024**, the length of military service was still **12** months, and that of alternative civilian service **18** months (**150%**).¹⁹

Furthermore, according to the previous EBCO’s annual report (2023/2024), citing as source EBCO’s Georgian member, Act for Transformation:

“The new law applies from January 1, 2025. The length of compulsory military service will be shortened. Instead of serving 12 months, recruits will serve in one of three shorter programs: **6 months** service in a combat unit; **8 months** service in the security subdivision; **11 months** service in junior command positions and designated specialty areas. [...] The duration of community service will be longer than that of military service - 18 months until January 1, 2025 and **12 months thereafter**. It may be noted that **the duration thus**

increases from one-and-a-half times to twice the minimum duration of military service.”²⁰ (Emphasis added).

Therefore, it appears that under the new provisions the ratio between the length of military and that of alternative civilian service has become **even more punitive and discriminatory**.

16. According to the **OHCHR**, “Any duration longer than that of military service is permissible only if the additional time for alternative service is based on reasonable and objective criteria. Equalizing the duration of alternative service with military service should be considered a good practice.”²¹

The **European Parliament** has repeatedly stated that the length of alternative service should be the same and not last longer than military service.²²

No specific provisions for professional members of the armed forces

17. According to the **OHCHR minimum standards**:

- a. “Conscripts and volunteers should be able to object before the commencement of military service, or at any stage during or after military service”;²³
- b. “The right to conscientious objection should be recognized for conscripts, for professional members of the armed forces and for reservists”.²⁴

18. Georgia is also a member of the **Council of Europe**, whose **Committee of Ministers** 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. [...]

41. For the purposes of compulsory military service, conscripts should have the right to be granted conscientious objector status and an alternative service of a civilian nature should be proposed to them.

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.”²⁵

19. In 2012, in a questionnaire on the implementation of the above recommendations, the following question was included: “Can professional members of the armed forces leave the armed forces for reasons of conscience? If so, please explain the conditions and the procedure, and in particular whether the requests can be reviewed by an independent and impartial authority. If not, please explain why and whether any measure is in preparation.”. Georgia replied positively but failed to provide any details whatsoever about “the conditions and the procedure, and in particular whether the requests can be reviewed by an independent and impartial authority”.²⁶

20. According to the most recent EBCO's annual report, in Georgia there are no specific provisions for the release of professional members of the armed forces on grounds of conscience.²⁷

JUVENILE MILITARY TRAINING INVOLVING THE HANDLING OF FIREARMS

21. In 2019, in its Concluding observations on Georgia's report concerning the **Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict**, the **Committee on the Rights of the Child** stated:

“Military education

20. The Committee notes the State party's information that the Law on military obligations and military service provides for the possibility of persons below the age of 18 years being permitted, exceptionally, to attend a higher military educational institution (CRC/C/OPAC/GEO/1, paras. 45–46). It also notes that prior to any call-up to the armed forces, a student at such an institution must sign a contract outlining the terms of engagement in military service. The Committee is concerned that military service permitted for such students below the age of 18 years might involve the handling of firearms.

21. The Committee recommends that the State party take measures to ensure that students below the age of 18 years at higher military educational institutions are exempt from military training that involves the handling of firearms and military discipline. It also recommends that the State party closely monitor the programmes of such institutions and ensure that they are in compliance with the Optional Protocol.

22. While noting the State party's information that the curriculum of the Giorgi Kvinitadze cadets military lyceum, which accepts children who have completed ninth grade, is approved by the Ministry of Education and that pupils in that institution are considered civilians and not military service members, the Committee is seriously concerned about the State party's information that children in that institution undergo basic military training, including training on firearms with live ammunition at the age of 16 years. It is also concerned that the complaints mechanisms accessible to cadets below the age of 18 years are only internal and are not independent.

23. The Committee recommends that the State party ensure that the curriculum of the Giorgi Kvinitadze cadets military lyceum is in line with the general educational system and that students are not trained in the use of weapons and live ammunition. It also recommends that the students in the lyceum have access to an independent complaints mechanism.”²⁸

22. In 2024, in its Concluding observations, the **Committee on the Rights of the Child** reiterated the above recommendations:

“(b) Take measures to ensure that students below the age of 18 years at higher military educational institutions are exempt from military training that involves the handling of firearms and military discipline;

(c) Ensure that the curriculum of the Giorgi Kvinitadze Cadet Military Lyceum is in line with the general educational system and ensure the effective implementation of order N58 of 17 March 2020 of the head of the Lyceum prohibiting the training of students in the use of weapons and live ammunition”.²⁹

LACK OF EXPLICIT CRIMINALIZATION OF THE RECRUITMENT OF CHILDREN

23. In 2019, in its Concluding observations on the report submitted by Georgia under article 8 (1) of the **Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict**, the **Committee on the Rights of the Child** stated:

“VI. Prohibition and related matters

Criminal legislation and regulations in force

24. The Committee notes the State party’s references to article 333 of the Criminal Code, which criminalizes the act of exceeding official powers. However, it regrets that, despite the prohibition on recruitment of children below the age of 18 years into the armed forces, the Criminal Code does not explicitly criminalize the recruitment, and the use in hostilities, of children below the age of 18 years by the armed forces.

25. The Committee recommends that the State party explicitly criminalize the recruitment, and the use in hostilities, of children below the age of 18 years by armed forces, by introducing a relevant provision in its Criminal Code with a punishment commensurate to the gravity of the crime.

Prohibition of recruitment by non-State armed groups

26. The Committee is concerned that the State party’s legislation does not sufficiently and explicitly prohibit and criminalize the recruitment, and their use in hostilities, of children below the age of 18 years by non-State armed groups.

27. The Committee recommends that the State party amend its Criminal Code in order to explicitly prohibit and criminalize the recruitment of children below the age of 18 years by non-State armed groups.

28. The Committee is also concerned that article 223 of the Criminal Code, on illegal formations, including the recruitment of persons to such formations, and article 3271 of the Criminal Code, on recruitment of a person into a terrorist organization, do not provide for aggravated criminal liability when the acts are perpetrated against children.

29. The Committee recommends that the State party introduce aggravated criminal liability under article 223 of the Criminal Code, on illegal formations, including recruiting persons to join such formations, and article 327¹ of the Criminal Code, on recruitment of a person into a terrorist organization, when such offences target children below the age of 18 years.”³⁰

24. In 2024, in its Concluding observations on the combined fifth and sixth periodic reports of Georgia concerning the Convention on the rights of the Child, in the paragraph concerning the Optional Protocol on the involvement of children in armed conflict, the Committee on the Rights of the Child reiterated the above recommendations:

“(d) Amend the Criminal Code by explicitly criminalizing the recruitment and use in hostilities of children below the age of 18 years by the armed forces and non-State armed groups;

(e) Introduce aggravated criminal liability under article 223 of the Criminal Code on illegal formations, including recruiting persons to join such formations, and article 327 of the Criminal Code on recruitment of a person into a terrorist organization when such offences target children below the age of 18 years”.³¹

SUGGESTED RECOMMENDATIONS

25. Connection e.V. suggests the following recommendations:

- Reduce the length of alternative service for conscientious objectors so that it is the same length as the military service.
- Provide all conscientious objectors with an alternative to military service that is not punitive or discriminatory in terms of its nature, cost or duration.
- Introduce specific provisions to explicitly allow for professional members of the armed forces to apply for early release for reasons of conscience. Any requests should be reviewed by an independent and impartial authority.
- Take measures to ensure that students below the age of 18 years at higher military educational institutions are exempt from military training that involves the handling of firearms and military discipline, according to the recommendation of the Committee on the Rights of the Child.
- Amend the Criminal Code by explicitly criminalizing the recruitment and use in hostilities of children below the age of 18 years by the armed forces and non-State armed groups, according to the recommendation of the Committee on the Rights of the Child.

¹ A/HRC/17/11, 16 March 2011, para. 37. <https://docs.un.org/en/A/HRC/17/11>

² A/HRC/17/11, 16 March 2011, recommendation 105.63 (Slovenia). <https://docs.un.org/en/A/HRC/17/11>

³ E.g. A/HRC/17/11, 16 March 2011, recommendations 105.60 (Bulgaria), 105.61 (Slovakia), 105.62 (Denmark). <https://docs.un.org/en/A/HRC/17/11>

⁴ [Note in the original] CPTI-IFOR, paras. 8-9. See also A/HRC/17/11, paras. 105 and 105.63 (Slovenia).

⁵ CPTI-IFOR, para. 11.

⁶ A/HRC/WG.6/23/GEO/3, 17 August 2015, para. 47. <https://docs.un.org/en/A/HRC/WG.6/23/GEO/3>

⁷ Advance Questions to Georgia – Add. 1.

⁸ E.g. A/HRC/31/15, 13 January 2015, recommendations 117.91 (Ghana), 117.94 (Botswana), 118.34 (Italy), 118.36 (Republic of Korea). <https://docs.un.org/en/A/HRC/31/15>

⁹ 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 Hidaybergenov v. Turkmenistan*, para. 7.5; *Ahmet Hidaybergenov 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; *Dawletow v. Turkmenistan*, para. 6.3 and others.

¹⁰ [Note in the original] IFOR, para. 3-4.

¹¹ A/HRC/WG.6/37/GEO/3, 5 November 2020, para. 69. <https://docs.un.org/en/A/HRC/WG.6/37/GEO/3>

¹² E.g. Joint Submission 14 submitted by: International Fellowship of Reconciliation and Conscience and Peace Tax International, paras. 17-19. <https://www.ohchr.org/en/hr-bodies/upr/uprge-stakeholders-info-s23>

¹³ Submission by IFOR - International Fellowship of Reconciliation, paras. 29-34. <https://www.ohchr.org/en/hr-bodies/upr/uprge-stakeholders-info-s37>

¹⁴ CCPR/CO/74/GEO, 19 April 2002, para. 18. <https://docs.un.org/en/CCPR/CO/74/GEO>

¹⁵ CCPR/C/GEO/3, 7 November 2006, para. 138. <https://docs.un.org/en/CCPR/C/GEO/3>

¹⁶ Ibid.

¹⁷ CCPR/C/AUT/CO/5, 3 December 2015, paras. 33-34. <https://docs.un.org/en/CCPR/C/AUT/CO/5>

¹⁸ E.g. E/CN.4/2006/51, 27 February 2006, para 13 and endnote 7. <https://docs.un.org/en/E/CN.4/2006/51>
OHCHR, *Conscientious Objection to Military Service*, New York and Geneva, 2012, p. 14, note 20.
https://www.ohchr.org/Documents/Publications/ConscientiousObjection_en.pdf

¹⁹ EBCO, *Annual Report, Conscientious Objection to Military Service in Europe 2024*, Brussels 5th June 2025, p. 63.
https://ebco-beoc.org/sites/ebco-beoc.org/files/2025-06-05-EBCO_Annual_Report_2024.pdf

²⁰ EBCO Annual Report 2023/2024, p. 80.

https://ebco-beoc.org/sites/ebco-beoc.org/files/2024-05-15-EBCO_Annual_Report_2023-24.pdf.

²¹ A/HRC/41/23, 24 May 2019, para. 60, (l). <https://docs.un.org/en/A/HRC/41/23>

²² https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:JOC_1993_115_R_0139_01&from=EN, page C 115/183,
para. 51.

https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:JOC_1994_044_R_0075_01&from=EN, page C 44/105,
para. 9.

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P5-TA-2003-0012+0+DOC+XML+V0//EN>,
para 42.

²³ A/HRC/41/23, 24 May 2019, para. 60(f). <https://docs.un.org/en/A/HRC/41/23>

See also: A/HRC/50/43, 11 May 2022, para. 57(g). <https://docs.un.org/en/A/HRC/50/43>

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

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

²⁵ 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), paras. 40-46. <https://search.coe.int/cm?i=09000016805cf8ef>

²⁶ CDDH(2012)016 – GEORGIA, H4.

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680695e57>

²⁷ EBCO, *Annual Report, Conscientious Objection to Military Service in Europe 2024*, Brussels 5th June 2025, p. 63.
https://ebco-beoc.org/sites/ebco-beoc.org/files/2025-06-05-EBCO_Annual_Report_2024.pdf

²⁸ CRC/C/OPAC/GEO/CO/1, 30 October 2019, paras. 20-23. <https://docs.un.org/en/CRC/C/OPAC/GEO/CO/1>

²⁹ CRC/C/GEO/CO/5-6, 25 June 2024, para. 43(b) and (c). <https://docs.un.org/en/CRC/C/GEO/CO/5-6>

³⁰ CRC/C/OPAC/GEO/CO/1, 30 October 2019, paras. 24-29. <https://docs.un.org/en/CRC/C/OPAC/GEO/CO/1>

³¹ CRC/C/GEO/CO/5-6, 25 June 2024, para. 43(d) and (e). <https://docs.un.org/en/CRC/C/GEO/CO/5-6>