

The Macciocchi Resolution

Resolution of 7 February 1983 on conscientious objection



EUROPA-PARLAMENTET
EUROPÄISCHES PARLAMENT
ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ
EUROPEAN PARLIAMENT
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The European Parliament,

- having regard to Article 9 of the European Convention on Human Rights, which guarantees the right to freedom of thought conscience and religion,
 - having regard to Resolution 337 (1967) and Recommendation 816 (1977) of the Consultative Assembly of the Council of Europe on the right of conscientious objection,
 - having regard to the laws of the Member States of the European Community concerning the right of conscientious objection,
 - having regard to the case law of the Court of Justice of the European Communities and the Joint Declaration of Parliament, Council and Commission in which these institutions stressed the prime importance they attach to the protection of fundamental rights as derived in particular from the European Human Rights Convention,
 - having regard to motions for resolutions Doc. 1-796/80, Doc. 1-803/79 and Doc 1-244/80,
 - having regard to Petitions Nos 14/80, 19/80, 26/80 and 42/80,
 - having regard to the report of the Legal Affairs Committee and the opinion of the Political Affairs Committee (Doc. I-546/82),
1. Recalls that the right to freedom of thought, conscience and religion is a fundamental right;
 2. Notes that protection of freedom of conscience implies the right to refuse to carry out armed military service and to withdraw from such service on grounds of conscience;
 3. Points out that no court or commission can penetrate the conscience of an individual and that a declaration setting out the individual's motives must therefore suffice in the vast majority of cases to secure the status of conscientious objector.