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Office of the United Nations High Commissioner for Human Rights
GENEVA
Information on Human Rights Council resolution 26/18 on “Conscientious objection to military service”

According to the article 76 (II) of the Constitution of the Republic of Azerbaijan “if beliefs of citizens come into conflict with service in the army then in some cases envisaged by legislation alternative service instead of regular service is permitted”.

The main barrier to enacting legislation on alternatives to military service is continued military occupation of significant part of the territory of the Republic of Azerbaijan by the neighboring Republic of Armenia. As a result of this occupation and ethnic cleansing carried out against Azerbaijani population residing in Armenia itself and in the territories of Azerbaijan that are currently occupied, nearly one million people became refugees and IDPs. The Republic of Armenia continues to ignore demands by international community to cease occupation of the territories of the Republic of Azerbaijan and to ensure the right of Azerbaijani refugees and IDPs to return to their homes in safety and dignity. To the contrary, the illegal resettlement policy in the Nagorno-Karabakh region of Azerbaijan and the adjacent territories show cases the intention of the Republic of Armenia to consolidate the results of its aggressive policy towards neighboring country.

In these circumstances, the enactment of legislation on alternatives to military service is linked with certain political difficulties. Thus, the Parliament of the Republic of Azerbaijan refrains from initiating the enactment of legislation on alternatives to military service, as such an initiative would particularly cause firm opposition among refugees and IDPs, which represent a significant part of the Parliamentary electorate.

Nevertheless, religious convictions of conscripts are taken into account during their military service. In this regard, in recent years there were no registered cases of refusals to join military service due to religious identity and no legal cases in connection with evading military service for religious reasons.