



European Organisation of Military Associations

**“Right of Association of
Armed Forces Personnel”**



Factsheet: EUROMIL

- Founded: 1972
- 33 associations from 22 countries
- Representing: Approx. 500.000 soldiers and their families
- Representation / Accreditation / Collaboration:
 - EP, EC, OSCE, ODIHR, DCAF, EMI, FoE, NATO PA, Kangaroo Group,
 - NGO with participatory status at the Council of Europe
 - Special consultative status at ECOSOC (UN)



Mission

Promoting human rights,
fundamental freedoms
and professional interests of
military personnel in Europe



The Right of Association

- “everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and join trade unions for the protection of his interests” (*European Convention on Human Rights, Art. 11*)
- “with a view to ensuring or promoting the freedom of workers and employers to form local, national or international organisations for the protection of their economic and social interests and to join those organisations, the Parties undertake that national law shall not be such as to impair, nor shall it be so applied as to impair, this freedom” (*European Social Charter, Art. 5*)
- “everyone has the right to freedom of peaceful assembly and to freedom of association at all levels, in particular in political, trade union and civic matters, which implies the right of everyone to form and to join trade unions for the protection of his or her interests” (*Charter of Fundamental Rights of the European Union, Art. 12*)



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Restrictions on fundamental rights but...

- “No restrictions shall be placed on the exercise of these rights other than such as prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.” (*European Convention on Human Rights, Art. 11*)



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Resolution of the European Parliament (EP) on the European Defence Union (22 Nov 2016 – 2016/2052)

EUROMIL lobbied the EP and was successful introducing social and human rights amendments.

“12. Calls on the Member States to particularly recognise the right of military personnel to form and join professional associations or trade unions and involve them in a regular social dialogue with the authorities; invites the European Council to take concrete steps towards the harmonisation and standardisation of the European armed forces, in order to facilitate the cooperation of armed forces personnel under the umbrella of a new European Defence Union;”



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Fundamental Rights for Military Personnel in the scope of the UN and ILO



- Art 20 and 23 Universal Declaration of Human Rights
- Art 8 International Covenant Economic, Social and Cultural Rights (lawful restrictions Afs)
- Art 22 International Covenant on Civil and Political Rights (lawful restrictions Afs)
- Conventions of ILO: 87 (1948), 98 (1949), 151 (1978) and recommendation 159 (1978)



Considerations



Military discipline
Loyalty to the armed forces
Outside influence
Respect for hierarchy



Represent members' interests
Promote their welfare
Consult and negotiate on their behalf



Military Personnel in Europe...

...has trade union rights in the countries marked in **green**.

...has the right of association in the countries marked in **yellow**.

...has neither in the countries marked in **red**.

WITHOUT unions and associations...

...the representation of professional and social interests of employees is impossible!

EUROMIL promotes the concept of "citizens in uniform"...

... as such, a soldier is entitled to the same rights and obligations as any other citizen, including the right of association.



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SUMMARY

- Fundamental rights for military personnel is an issue in Europe
- The right of association for military personnel does not undermine military authority or disrupt the chain of command
- No loss of military efficiency or discipline in countries which have granted full association rights for their soldiers



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