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COMMISSION ON HUMAN RIGHTS

QUESTION OF "CONSCIENTIOUS OBJECTION TO ARMED SERVICE"  
(document E/CN.4/NGO/1/Add.1)

Communication dated 2 June 1950 from the Deputy  
Permanent Representative of the Union of  
Africa to the Secretary-General

The Service Civil International, a non-governmental organization, having consultative status in category "B", submitted to the Secretary-General a statement dated 20 December 1949 concerning the question of conscientious objection to armed service. The Secretary-General circulated the statement in accordance with paragraphs 28 and 29 of the resolution of the Economic and Social Council 288 B (X) in document E/CN.4/NGO/1.

Subsequently, the organization submitted a more comprehensive document giving details of the legislative and administrative provisions regarding the situation of conscientious objectors in thirty-four countries. On 31 March 1950, at its 142nd meeting, the Commission on Human Rights decided in accordance with paragraphs 28 and 29 of the Council's resolution 288 B (X) that the more comprehensive statement received from the Service Civil International should be circulated in full. Consequently, the Secretary-General circulated the full statement in document E/CN.4/NGO/1/Add.1.

The Secretary-General has now received the following communication from the Deputy Permanent Representative of the Union of South Africa to the United Nations which he has the honour herewith to circulate:

"The Deputy Permanent Representative of the Union of South Africa to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to point out that the statement regarding liability for military service in the Union of South Africa, which appears on page 26 of document E/CN.4/NGO/1/Add.1 is substantially correct.

/However  
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However, there are several inaccuracies in the statement there presented and it is therefore deemed advisable to submit the following more correct version of the position in the Union, incorporating recent amendments in the Defence Act and including the provisions dealing with conscientious objection to military service.

"The South African Defence Act (No. 13 of 1912, as amended) provides that every male citizen of European descent is liable, between his seventeenth and his sixty-fifth year, both included, to render in time of war personal service in defence of the country in any part of South Africa within or without the Union. Section 82(2) of the act provides that 'a citizen who bona fide belongs and adheres to a recognized religious denomination, by the tenets whereof its members may not participate in war, may be granted exemption from serving in any combatant capacity in time of war, but may be required to serve in a non-combatant capacity if called upon to do so'.

"Further, every citizen of sound physique between his seventeenth and his twenty-fifth year, both included, is liable to undergo a course of peace-time training for a period of four years. The Act makes provision for the calling up of citizens between their eighteenth and twenty-first years for peace training. This is done by means of a ballot and the Act makes provisions for the exemption of a citizen from this ballot on the grounds of his 'bona fide religious tenets' (section 58(b)(d)). All employers are bound by law to afford their employees facilities for this training without in any way prejudicing their employment.

"Not more than 50 per cent of those liable for peace-time training may be required actually to undergo such training, others being required in their twenty-first year to enroll as members of rifle commandos for a period of four consecutive years. Every other citizen liable to render personal service in time of war is also allowed to engage as a member of a rifle commando if he wishes to do so.

"All military operations by South African Forces outside the limits of the Union have so far been performed on a voluntary basis."

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