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***Army Regulation 600–43**

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Personnel–General
Conscientious Objection

By Order of the Secretary of the Army:

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General, United States Army
Chief of Staff

Official:

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History. This publication is a major revision. The portions affected by this major revision are listed in the summary of change.

Authorities. This regulation implements DoDI 1300.06.

Applicability. This regulation applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated.

Proponent and exception authority. The proponent of this regulation is the Assistant Secretary of the Army (Manpower and Reserve Affairs). The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency, in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal reviewed by the activity's senior legal officer. All waivers requests will be endorsed by the commander of senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific guidance.

Army internal control process. The regulation contains internal controls provisions in accordance with AR 11–2 and identifies key internal controls that must be evaluated (see app B).

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Assistant Secretary of the Army (Manpower and Reserve Affairs) (SAMR–MPQ), 111 Washington, DC 20310–0111.

Distribution. This publication is available in electronic media only and is intended for the Regular Army, the Army National Guard/Army National guard of the United States, and the U.S. Army Reserve.

*This regulation supersedes AR 600-43, dated 16 May 2019.

Contents (Listed by chapter and page number)

Chapter 1

Introduction, *page 1*

Chapter 2

Applying for Conscientious Objector Status, *page 3*

Chapter 3

Disposition of Personnel, *page 5*

Appendixes

A. **References**, *page 6*

B. **Internal Control Evaluation**, *page 7*

Glossary of Terms

Summary of Change

Chapter 1 Introduction

1–1. Purpose

This regulation sets forth policy, criteria, and responsibilities in accordance with DoDI 1300.06 to classify and process military personnel who claim conscientious objection to participation in war in any form or to the bearing of arms.

1–2. References, forms, and explanation of abbreviations

See appendix A. The abbreviations, brevity codes, and acronyms (ABCAs) used in this electronic publication are defined when you hover over them. All ABCAs are listed in the ABCA database located at <https://armypubs.army.mil/abca/>.

1–3. Associated publications

Procedures associated with this regulation are found in DA Pam 600–46.

1–4. Responsibilities

- a. Assistant Secretary of the Army (Manpower and Reserve Affairs).* The ASA (M&RA) will—
- (1) Develop policies and criteria to classify and process military personnel who claim conscientious objection to participation in war in any form or the bearing of arms.
 - (2) Through the Deputy Assistant Secretary of the Army (Review Boards) DASA (RB)—
 - (a) Oversee the Department of the Army Conscientious Objector Review Board (DACORB), a component board of the Army Review Boards Agency (ARBA). The DACORB will make recommendations on all cases requesting discharge (1–O). The DACORB will also make recommendations on cases requesting noncombatant status (1–A–O) that are not approved by the commands listed in paragraph 2–5a.
 - (b) Appoint a president to preside over the board and appoint board members to review applications.
 - (c) Consistent with authority delegated by the Secretary of the Army, make final determinations on cases in which military personnel claim conscientious objection. Coordinate as necessary to initiate re-employment of unearned portion of bonuses, incentive pay, or similar benefit as required by Section 373, Title 37, United States Code (37 USC 373).
 - (d) Notify the chain(s) of command of DASA (RB) decisions.
 - (e) Serve as the final approval authority for all cases heard by the DACORB.
 - (3) Through the President, DACORB—
 - (a) Oversee DACORB day-to-day operations.
 - (b) Serve as or designate a presiding officer to execute board proceedings.
 - (c) Ensure the board members review applications without bias or prejudice.
 - (d) Ensure the DACORB understands its role to issue recommendations to DASA (RB).
 - (e) Ensure the presiding officer certifies the board vote as true and correct.
 - (f) Return those applications lacking sufficient evidence to render an adequately informed decision.
- b. The General Counsel.* The GC will ensure legal review of applications for conscientious objector status for cases that the DASA (RB) raises to the ASA (M&RA) or Secretary of the Army for adjudication. The GC will provide advice to the DASA (RB) in the disposition of applications for conscientious objector status.
- c. Deputy Chief of Staff, G–1.* The DCS, G–1 will—
- (1) Provide advice and assistance to the ASA (M&RA) on developing policies that define the use and assignment of noncombatant conscientious objectors (1–A–O) when such Soldiers serve in the Army.
 - (2) Through the Commanding General (CG), U.S. Army Human Resources Command (HRC), ensure proper disposition of all documents pertaining to the conscientious objector status application in the applicant's Army Military Human Resource Record (AMHRR) in accordance with AR 600–8–104.
- d. Chief, National Guard Bureau.* The CNGB will ensure conscientious objection policies and procedures are implemented and executed within the Army National Guard (ARNG) in accordance with this regulation.
- e. Chief, Army Reserve.* The CAR will ensure conscientious objection policies and procedures are implemented within the Army Reserve Command in accordance with this regulation.

f. Chief of Chaplains. The CCH will ensure interviews are conducted of applicants using the procedures described in DA Pam 600–46.

g. Commanding generals. CGs of Army commands, Army service component commands, and direct reporting units will implement conscientious objection policies and procedures within their respective commands in accordance with this regulation.

h. Commanders. Commanders at all levels will implement and enforce the chain of command for conscientious objector policies and procedures. Commanders exercising Special Court-Martial Convening Authority will appoint an investigating officer who is a chief warrant officer in the grade of WO–3 or higher, or a commissioned officer in the grade of O–3 or higher to investigate the applicant's claim. If the applicant is a grade O–3 or higher commissioned officer, the investigating officer must be senior in grade to the applicant, who will conduct an investigation in accordance with DA Pam 600–46.

i. General Court-Martial Convening Authority. The GCMCA will—

(1) Thoroughly review the applicant's entire case for completion (see DA Pam 600–46). Return to the applicant's commander any applications that are missing required documents.

(2) Ensure the applicant's rights have been protected.

(3) Approve 1–A–O applications, if warranted, recommend disapproval of 1–A–O applications, if warranted, and recommend disposition of 1–O applications.

(4) Ensure appropriate assignment of approved 1–A–O applicants after approval.

(5) If the applicant is under deployment orders, determine whether to deploy the applicant.

(6) Ensure proper reassignment or separation orders are published when 1–O or 1–A–O applications are approved, as necessary.

(7) Obtain a legal review of the application from the servicing staff judge advocate, including advice on the legal sufficiency of the application and the disposition of such application.

(8) Coordinate assignment of approved 1–A–O conscientious objectors with HRC.

(9) Coordinate training for approved 1–A–O conscientious objectors, if required due to reassignment.

(10) Coordinate as necessary to ensure recoupment of unearned portion of a bonus, incentive pay, or similar benefit as required by 37 USC 373.

1–5. Records management (recordkeeping) requirements

The records management requirement for all record numbers, associated forms, and reports required by this publication are addressed in the Records Retention Schedule–Army (RRS–A). Detailed information for all related record numbers, forms, and reports are located in Army Records Information Management System (ARIMS)/RRS–A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS–A, see DA Pam 25–403 for guidance.

1–6. Determining conscientious objector status

a. Personnel who qualify as conscientious objectors under this regulation will be classified as such, consistent with the effectiveness and efficiency of the Army. However, requests by personnel for qualification as a conscientious objector after entering military service will be denied when these requests are—

(1) Based on pre-existing fixed beliefs held prior to enlistment, induction, or appointment. Requests will be denied when they are based on a claim of conscientious objection that existed and satisfied the requirements for classification as a conscientious objector pursuant to DoDI 1300.06, 50 USC 3806(j), and other provisions of law when the applicant failed to request classification as a conscientious objector by the Selective Service System before dispatch of the notice of induction, enlistment, or appointment. Claims based on conscientious objection growing out of experiences before entering military service, which did not become fixed until after the person's entry into the service, will be considered.

(2) Based on the same grounds as a previously denied Selective Service System request. Requests will be denied when they are based solely on conscientious objection claimed and denied on their merits by the Selective Service System before induction when application under this regulation is based on substantially the same grounds, or supported by substantially the same evidence as the request that was denied under the Selective Service System.

(3) Based on a claim of erroneous processing by the Selective Service System. Such claims will be processed according to DoDI 1300.06.

(4) Based solely upon policy, pragmatism, or expediency. Applicants who are otherwise eligible for conscientious objector status may not be denied that status simply because of their views on the nation's domestic or foreign policies.

(5) Based solely upon considerations of political, sociological, or philosophical views, or a merely personal code.

(6) Based on objection to a specific war.

(7) Based upon insincerity (see DA Pam 600–46).

b. The burden of establishing a claim of conscientious objection as grounds for separation or assignment to noncombatant training and service is on the applicant. To this end, applicants must establish, by clear and convincing evidence, that the nature or basis of the claim comes within the definition of criteria prescribed in this regulation and DA Pam 600–46 for conscientious objection and that their beliefs in connection to the claim are firm, fixed, sincere, and deeply held. Applicants have the burden of determining and setting forth the exact nature of the request; that is, whether they request separation based on conscientious objection (1–O) or reassignment to noncombatant training and service based on conscientious objection (1–A–O).

c. An applicant claiming 1–O status will not be granted 1–A–O status as a compromise. Similarly, discharge will not be recommended for those who apply for classification as a noncombatant 1–A–O.

d. Conscientious objectors are exempt from separation due to nondeployable status for administrative reason during the investigation and resolution of their claim.

e. This regulation will not be used to effect the administrative separation of persons who do not qualify as conscientious objectors. Nor will it be used instead of administrative separation procedures such as those provided for unsatisfactory performance, substandard performance of duty, misconduct, or as otherwise set forth in other Army regulations (see AR 600–8–24, AR 635–200, AR 135–175, or AR 135–178). Under no circumstances will administrative separation of these persons be effected based on this regulation.

f. This regulation does not prevent the administrative elimination, according to law and Army regulations, of any person whose performance of duty after reclassification as a 1–A–O conscientious objector is substandard or who exhibits another basis for elimination.

Chapter 2

Applying for Conscientious Objector Status

2–1. Application

Military personnel who seek either discharge or assignment to noncombatant duties because of conscientious objection will submit an application on DA Form 4187 (Personnel Action) to their immediate commanding officer. Application will indicate whether they are seeking discharge or assignment to noncombatant duties. Mandatory procedures for applying for conscientious objection are prescribed in DA Pam 600–46. Submission of DA Form 4187 constitutes a formal application.

2–2. Advising applicants

Upon receipt of a Soldier's application, the applicant's immediate commander will follow the mandatory procedures for advising applicants as prescribed in DA Pam 600–46.

2–3. Interviewing applicants, investigating claim, conducting investigations, and review of cases

Mandatory procedures for interviewing applicants, investigating applicants' claims, conducting investigations, and reviewing cases are prescribed in DA Pam 600–46.

2–4. Voluntary withdrawal of application

An applicant may desire to withdraw their application before final action has been taken. If so, he or she should notify the immediate unit commander or records manager. The mandatory procedures for withdrawal are prescribed in DA Pam 600–46.

2–5. Decision authority

a. *Approval of application.* Authority to approve applications for noncombatant conscientious objector status (1–A–O) is delegated to the commander exercising GCMCA over the applicant and to the proper level of command listed below for the Reserve Component (RC). The DASA (RB) will make the final determination on all applications requesting discharge (1–O) and those requesting noncombatant status (1–A–O) that are not approved by the following command levels:

(1) Applications submitted by Army personnel on active duty, including those for personnel in the ARNG and U.S. Army Reserve (USAR) on active duty or active duty for training (ADT), will be forwarded through normal command channels to the Regular Army commander having GCMCA for—

- (a) Determination and action on approved applications for 1–A–O, or
- (b) Recommendations with supporting reasons for disapproval of 1–A–O, or
- (c) Recommendations with supporting reasons for 1–O.

(2) Applications submitted by ARNG personnel who are not on active duty or ADT will be forwarded through normal command channels to the state adjutant general for—

- (a) Determination and action on approved applications for 1–A–O, or
- (b) Recommendations with supporting reasons for disapproval of 1–A–O, or
- (c) Recommendations with supporting reasons for 1–O.

(3) Applications submitted by USAR unit personnel who are not on active duty or ADT will be forwarded through normal command channels to the Commander, U.S. Army Pacific; Commander, U.S. Army Europe and Africa (USAREUR–AF); or Commander, U.S. Army Reserve Command, as applicable, for—

- (a) Determination and action on approved applications for 1–A–O, or
- (b) Recommendations with supporting reasons for disapproval of 1–A–O, or
- (c) Recommendations with supporting reasons for 1–O.
- (d) Soldiers in the Indo-Pacific Command will forward applications through normal command channels to Commander, U.S. Army Pacific, Fort Shafter, HI 96858–5100.
- (e) Soldiers in the European and Africa Command will forward applications through normal command channels to Commander, USAREUR–AF, APO AE 09014–9351.
- (f) Soldiers in the continental United States will forward applications through normal command channels to Commander, U.S. Army Reserve Command (AFRC–PRP), 4710 Knox Street, Fort Bragg, NC 28310–5010.

(4) Non-unit, Individual Ready Reserve, and Standby Reserve personnel under the jurisdiction of the CG, HRC, who are not on active duty or ADT, will submit their applications to Commander, Army Human Resource Command, 1600 Spearhead Division Avenue, Fort Knox, KY 40122–5100. Officers send to AHRC–OPL–P. Enlisted Soldiers send to AHRC–EPO. The CG, HRC will make, as applicable—

- (a) Determination and action on approved applications for 1–A–O, or
- (b) Recommendations with supporting reasons for disapproval of 1–A–O, or
- (c) Recommendations with supporting reasons for 1–O.

(5) Reserve Officers' Training Corps cadets will follow AR 145–1.

b. Delegating authority. Commanders cited in paragraph 2–5a, are not authorized to further delegate this authority without prior approval of the Secretary of the Army. The commanders listed in paragraph 2–5a must personally sign each action.

2–6. Second and later applications

a. An application for discharge as a conscientious objector 1–O or for classification 1–A–O that has been considered and disapproved by DASA (RB) will not be reconsidered. However, an applicant may submit second and later formal applications to their immediate unit commander. These applications will be considered only if—

- (1) They are not based upon substantially the same grounds, or
- (2) They are not supported by substantially the same evidence as a previously disapproved application.

b. Mandatory procedures for processing second or later applications are prescribed in DA Pam 600–46.

2–7. Use, assignment, and training

a. Except as provided in paragraph 2–7b, applicants who have submitted applications will be retained in their unit and assigned duties providing minimum practicable conflict with their asserted beliefs, pending a final decision on their applications. Reassignment orders received after the submission of an application will be delayed until the approval authority makes a final determination. In the case of trainees, they will not be required to train in the study, use, or handling of arms or weapons. The trainee is not precluded from taking part in those aspects of training that do not involve the bearing or use of arms,

weapons, or munitions. Except for this restriction, conscientious objector applicants are subject to all military orders, discipline, and regulations to include those on training.

b. In the case of second and later applications, the duty limitations of paragraph 2-7a will not apply if the applicant's immediate commander determines that the application is substantially the same as a previously disapproved application. However, the mandatory provisions of paragraph 2-6 and DA Pam 600-46 still apply.

c. Mandatory procedures for the submission of an application for conscientious objection are prescribed in DA Pam 600-46.

Chapter 3

Disposition of Personnel

3-1. Actions after approval

a. Persons determined to meet the criteria for 1-O classification normally will be discharged "for the convenience of the Government." Mandatory procedures for processing discharge orders are prescribed in DA Pam 600-46.

(1) When applicable, the Soldier must reimburse the Government for any unearned portion of a bonus, incentive pay, or similar benefit in accordance with law and regulation, including 10 USC 2123, 37 USC 308, AR 637-1 and AR 635-200.

(2) The commander exercising GCMCA authority will ensure that the unearned portion of bonuses, incentive pays, or similar benefits are recouped, as indicated by ARBA and as required by 37 USC 373.

b. Persons who are classified 1-A-O are not eligible for discharge under this regulation. Mandatory procedures for processing persons classified as 1-A-O are prescribed in DA Pam 600-46.

3-2. Discharge of personnel having less than 180 days service

Personnel who have less than 180 days on active duty (excluding ADT) may be discharged by reason of conscientious objection. During conscription, the GCMCA will promptly notify the Selective Service System, National Headquarters, Arlington, VA 22209-2425, of the date of discharge from military service and advise that the person has not completed 180 days active duty.

3-3. Removal of identification as 1-A-O conscientious objector

Mandatory procedures for the removal of identification as 1-A-O conscientious objector are prescribed in DA Pam 600-46.

3-4. Separation certificates

Certificates are issued per AR 635-8.

3-5. Expenses

No expenses voluntarily incurred by the applicant, their counsel, their witnesses, or by any other person on their behalf in connection with proceedings under this regulation will be paid by the Government.

Appendix A

References

Section I

Required Publications

AR 135–175

Separation of Officers (Cited in para 1–6e.)

AR 135–178

Enlisted Administrative Separations (Cited in para 1–6e.)

AR 145–1

Senior Reserve Officers` Training Corps Program: Organization, Administration, and Training (Cited in para 2–5a(5).)

AR 600–8–24

Officer Transfers and Discharges (Cited in para 1–6e.)

AR 600–8–104

Army Military Human Resource Records Management (Cited in para 1–4c(2).)

AR 635–8

Separation Processing and Documents (Cited in para 3–4.)

AR 635–200

Active Duty Enlisted Administrative Separations (Cited in para 1–6e.)

AR 637–1

Army Compensation and Entitlements Policy (Cited in para 3–1a(1).)

DA Pam 600–46

Processing Applicants for Conscientious Objection (Cited in para 1–3.)

DoDI 1300.06

Conscientious Objectors (Cited on title page.) (Available at <https://www.esd.whs.mil/dd/>.)

10 USC 2123

Members of the program: active duty obligation; failure to complete training; release from program (Cited in para 3–1a(1).)

37 USC 308

Special pay: reenlistment bonus (Cited in para 3–1a(1).)

37 USC 373

Repayment of unearned portion of bonus, incentive pay, or similar benefit, and termination of remaining payments, when conditions of payment not met (Cited in para 1–4a(2)(c).)

50 USC 3806

Deferments and exemptions from training and service (Cited in para 1–6a(1).)

Section II

Prescribed Forms

This section contains no entries.

Appendix B

Internal Control Evaluation

B-1. Function

The function covered by this evaluation is the submission and processing of applications for conscientious objection, 1-O and 1-A-O.

B-2. Purpose

The purpose of this evaluation is to assist commanders in evaluating the key internal controls listed. It is intended as a guide and does not cover all controls.

B-3. Instructions

Answers must be based on actual testing of key internal controls (for example, document analysis, direct observation, and sampling). Answers that indicate deficiencies must be explained and corrective action identified in supporting documentation. These internal controls must be evaluated at least once every 5 years. Certification that the evaluation has been conducted must be accomplished on DA Form 11-2 (Internal Control Evaluation Certification).

B-4. Test questions

Affirmative answers indicated successful management controls. Negative answers indicate an internal control deficiency or weakness.

- a. Have conscientious objector applicants submitted a signed and dated DA Form 4187 showing whether they are requesting discharge or noncombatant status and all required data?
- b. Have conscientious objector applicants been advised that they may submit any data they consider relevant with the application?
- c. Have chaplains provided detailed reports as described in DA Pam 600-46?
- d. Is a disinterested investigating officer (chief warrant officer in the grade of WO-3 or higher; or a commissioned officer in the grade of O-3 or higher; and if the applicant is a grade O-3 or higher commissioned officer, a commissioned officer senior in grade to the applicant) appointed who is not in the applicant's chain of command?
- e. Did applicant sign and date the statements of understanding?
- f. Have investigating officers followed the procedures outlined in DA Pam 600-46?
- g. Have the headquarters of the Special Court-Martial jurisdiction(s) returned the record, complete to date, to the commander of the applicant in accordance with DA Pam 600-46?
- h. Have the commanders of applicants followed the procedures in DA Pam 600-46?
- i. If the applicant wishes to withdraw a formal application, is the applicant counseled by an attorney from the servicing Staff Judge Advocate's office as described in DA Pam 600-46?
- j. Are approved applications or recommendations for disapproval personally signed by the GCMCA or appropriate commander for the RC with supporting reasons?

B-5. Supersession

This evaluation replaces the evaluation previously published in AR 600-43, dated 16 May 2019.

B-6. Comments

Help to make this a better tool for evaluating internal controls. Submit comments to the Assistant Secretary of the Army (Manpower and Reserve Affairs) (SFMR-RBC), 111 Washington, DC 20310-0111.

Glossary of Terms

Class 1–A–O conscientious objector

A member who, by reason of conscientious objection, sincerely opposes participation only in combatant military training and service and for whom such beliefs play a significant role in his or her other life.

Class 1–O conscientious objector

A member who, by reason of conscientious objection, sincerely opposes participation in combatant and noncombatant military training and service in war in any form and for whom such beliefs play a significant role in his or her other life.

Conscientious objection

Opposition to participating in any form of war or the bearing of arms due to sincerely held morals, ethical or religious beliefs, or a combination of such beliefs. Unless otherwise specified, the term “conscientious objector” includes both class 1–O and class 1–A–O conscientious objectors.

Noncombatant service/noncombatant duties (class 1–A–O)

Service in any unit of the military Services that is unarmed at all times. Any other assignment, the primary function of which, does not require the use of arms in combat provided that such other assignment is acceptable to the individual concerned and does not require him or her to bear arms or to be trained in their use. Service aboard an armed ship or aircraft or in a combat zone will be considered to be noncombatant duty unless the individual concerned is personally and directly involved in the operation of weapons.

Noncombatant training

Training that is not concerned with the study, use, or handling of arms or weapons.

Religious, moral, or ethical belief

Deeply held religious, moral, or ethical belief, to which all else is subordinate and has the power or force to affect personal moral well-being. The belief need not have found expression in either religious or societal traditions. However, it should sincerely occupy a place of at least equal value in the life of its possessor. Deeply held moral or ethical beliefs should be valued with the strength and devotion of traditional religious conviction. The term “religious, moral, or ethical belief” does not include a belief that rests solely upon considerations of policy, pragmatism, expediency, or political views.

War in any form

The clause “war in any form” should be interpreted in the following manner:

- a. An individual who desires to choose a specific war in which to participate is not a conscientious objector under the law. The individual’s objection must be to all wars rather than a specific war.
- b. A belief in a theocratic or spiritual war between the powers of good and evil does not constitute a willingness to participate in “war” within the meaning of this issuance.

SUMMARY of CHANGE

AR 600–43
Conscientious Objection

This major revision, dated 22 February 2023—

- Incorporates Army Directive 2018–22 (Retention Policy for Non-Deployable Soldiers) (para 1–6d).
- Moves procedures to DA Pam 600–46 (throughout).

UNCLASSIFIED

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