

NGOs Joint Statement

To

**THE ADVISORY COMMITTEE
HUMAN RIGHTS COUNCIL**

6° session

17 - 21 January 2011

**Agenda Item 2 a) vii) of the Provisional Programme
Promotion of the Right of Peoples to Peace**

Title:

**Commentaries to the Progress Report on the Right of Peoples to Peace Prepared by the
Drafting Group of the Human Rights Council Advisory Committee** [\[1\]](#)

Text:

I

The Spanish Society for International Human Rights Law (SSIHRL) welcomed on 30 October 2006 the adoption of the *Luarca Declaration on the Human Right to Peace*, which was drafted by a Committee of 15 independent experts. It was the culmination of a process of extensive consultations within the Spanish civil society.

After that, the SSIHRL has developed its four-year World Campaign on the Human Right to Peace (2007-2010) organizing workshops and expert meetings on the human right to peace in all regions of the world, sharing the content of the *Luarca Declaration*, and receiving inputs from different cultural sensibilities.

The *Luarca Declaration* was reviewed in the light of the contributions received from various regional expert meetings on the human right to peace. A new drafting committee of 14 independent experts approved on 24 February 2010 the *Bilbao Declaration on the Human Right to Peace* [\[2\]](#).

The *Bilbao Declaration on the Human Right to Peace* was reviewed by the *International Drafting Committee* (ten experts from the five geographical groups), which approved on 2 June 2010 the *Barcelona Declaration on the Human Right to Peace* based on the interests and aspirations of the international civil society as a whole [\[3\]](#).

On 9-10 December 2010, the *Barcelona Declaration* was discussed by the *International Congress on the Human Right to Peace* held in Santiago de Compostela (Spain). This Congress was convened by the SSIHRL, the World Council of Churches and the Institute for Peace Studies of Alexandria^[4]. On 10 December 2010, the *Santiago Declaration on the Human Right to Peace* was unanimously approved^[5]. This document, which represents the aspirations of the international civil society in the scope of the codification of the human right to peace, is submitted for consideration of the sixth session of the Advisory Committee.

Finally, on 10 December 2010 the Santiago Congress also approved unanimously the Statutes of the *International Observatory of the Human Right to Peace*^[6], which will enter in force by 10 March 2011 within the SSIHRL, but with its own structure (General Assembly, Executive Committee and International Secretariat). The objectives of the Observatory are, among others, to promote the *Santiago Declaration* and to ensure that the process of international codification of the human right to peace, already initiated by the United Nations, is fulfilled with the approval by the UN General Assembly of the Universal Declaration of the Human Right to Peace, which take into account the *Santiago Declaration* and its preparatory work.

II

Since 2008 the Human Rights Council has been working on the “**Promotion of the right of peoples to peace**”. The HR Council approved on 17 June 2010 the resolution 14/3 on the right of peoples to peace, which explicitly recognized “... the important work being carried out by civil society organizations for the promotion of the right of peoples to peace and the codification of that right”^[7]; and “supported the need to further promote the realization of the right of peoples to peace”. In that regard it requested “the Advisory Committee, in consultation with Member States, civil society, academia and all relevant stakeholders, to prepare a draft declaration on the right of peoples to peace, and to report on the progress thereon to the Council at its seventeenth session”^[8].

Consequently, the Advisory Committee adopted on 6 August 2010 the recommendation 5/2 on the promotion of the right of peoples to peace, establishing a *drafting group* of four members to prepare a draft declaration on the right of peoples to peace.

III

The Advisory Committee has the progress report on the right of peoples to peace as prepared by the *drafting group*^[9]. After the debate at the Advisory Committee, a questionnaire will be distributed to Member States, civil society, academia and all relevant stakeholders. In the light of the comments received, the Advisory Committee will approve a draft declaration that is as balanced and inclusive as possible^[10] and will be submitted to the Human Rights Council in its seventeenth session^[11].

The *drafting group* recognises in its progress report the important contribution of civil society to the international codification of the right to peace in the United Nations, and in particular pays tribute to the World Campaign on the human right to peace carried out by the SSIHRL with the support of more than 800

NGO^[12], which concluded on 10 December 2010 with the approval of the *Santiago Declaration on the Human Right to Peace* in the context of the International Congress on the Human Right to Peace of civil society, held on 9-10 December 2010 in Santiago de Compostela (Spain)^[13]. Additionally, the *Asian Human Rights Charter* of 1998^[14] and the *Hague Appeal* of 1999^[15] are also mentioned. Furthermore, the drafting group recalls the role played by UNESCO in this field, including the *Oslo Declaration on the human right to peace* of 1997^[16].

The progress report suggests to conceive peace as both the absence of organised violence, the effective protection of human rights, gender equality and social justice, economic well being and free and widespread expression of different cultural values, without discrimination and restraints^[17]. Consequently, the drafting group proposes nine guiding dimensions which should be included in the future draft declaration on the right of peoples to peace, mainly, inter alia: peace as a right of all peoples; disarmament; human security and respect of our environment; resistance to oppression; conscientious objection; private military and security forces; education; development; the interests of victims and vulnerable groups; the obligations of States; and the monitoring and implementation of the right of peoples to peace^[18].

The report then identifies the legal basis for each of the proposed dimensions and makes proposals of standards that elaborates the right of peoples to peace^[19]. This report reaffirmed that the right to peace has its legal basis in the Charter of the United Nations, the international human rights law and numerous resolutions approved by the General Assembly, the Human Rights Commission and the Human Rights Council^[20]. Additionally, it recognises that right to peace has a double dimension -individual and collective-, and that the duty holders of the right are both peoples and individuals^[21]. Besides, it notes that the establishment, maintenance and strengthening of the right to peace requires the application and respect of all human rights for all, mainly, civil, political, economic, social, cultural, the right to development and the right of peoples to self-determination^[22].

The progress report also recognises that the contribution of women to the cause of peace is fundamental for the the full and complete development of a country and the welfare of the world^[23]. Therefore, States, international organizations, in particular the United Nations, and civil society should empower women so that they can contribute to building, consolidating and maintaining peace after conflicts and can participate at all levels of decision-making on peace and security issues^[24]. To reach this aim, the gender perspective should be incorporated in a comprehensive peace education^[25]. Furthermore, it should be revised national laws and policies that are discriminatory against women, and adopt legislation that addresses domestic violence, the trafficking of women and girls and gender-based violence^[26].

RECOMMENDATIONS

The SSIHRL and NGOs partners welcome that the proposals contained in the progress report are also found in the *Santiago Declaration on the Human Right to Peace* as adopted by the international civil society

on 10 December 2010, as well as, in the previous Declarations approved in Luarca, Bilbao and Barcelona.

However, the *Santiago Declaration* also addresses other issues that should be included in a future declaration on the right to peace. In particular,

- a) Consolidate the human right to peace in its double dimension -individual and collective- as a means to foster the right to self determination of peoples and all human rights, including the right to development
- b) Recognize the relationship between human rights to peace and solidarity, and rights to life, integrity, liberty and security of the person and the refugee rights; physical and mental health and well-being; the need to protect victims from uncontrolled weapons of mass destruction, genocide, crimes against humanity and war crimes and ensure redress for their suffering; the need to examine the possibility of disarming all weapons; the right to emigrate and not emigrate; the right to know the truth about human rights violations; the need to protect the rights of the most vulnerables, in particular, women and children; and the exercise of civil, political, economic, social, cultural and linguistic rights to enhance social justice, equity and gender equality, and the elimination of extreme poverty, since it will make possible solidarity, peace and friendly relations among all nations, races, ethnicities or religions.
- c) Stress that the human rights to peace and solidarity promote solidarity and education for peace, and the construction of democratic, egalitarian and multicultural societies, as well as the dialogue and peaceful coexistence among cultures, civilizations and religions as a means to combat racism, racial discrimination, xenophobia and related intolerance.
- d) Identify appropriate measures to implement the human rights to peace and solidarity as contained in the UN Charter, the UDHR and the international and regional human rights instruments.
- e) Pay particular attention to gender mainstreaming in the field of peace-building and solidarity as requested by the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women of 1995, and ensure women's participation at all levels of decision-making on peace, disarmament and security issues, as mandated in Security Council resolutions 1325 (2000), 1820 (2008), 1888 and 1889 (2009), as well as the need to perform a gender analysis and ensure gender justice in all situations of armed conflict.

[1]

NGO without consultative status that also share the views expressed in this statement: Japan Lawyers International Solidarity Association, Proud Pakistan Belochistan, Monitoring Net of Human Rights In Iraq (MHRI), The Association of Iraqi POWs, Association of International Humanitarian Lawyers (AIHL), Women's Will Association (WWA), The Association of Iraqi Jurists (AIJ), Conservation Centre of Environmental & Reserves In Iraq (CCERF), Human Rights Division of the Association of Muslims Scholars In Iraq (AMSI), Al-Basaer Media Association (ABMA), Studies Center of Human Rights and Democracy (SCHRD), Association of Human Rights Defenders In Iraq (AHRDI), The Iraqi Commission for Human Rights (Iraqi-CHR), The Organization For Widows And Orphans (OWO), The Iraqi Association Against War (IAAW), Organization for Justice and Democracy In Iraq (OJDI), Association of Iraqi Diplomats (AID), Arab Lawyers Network (UK), Iraqi Human Rights Center, Nepal International Consumers Union (NICU), Center for Women's Global Leadership, **Spanish Federation of**

Associations on Defensa and Promotion of Human Rights (Asociación para la Defensa de la Libertad Religiosa (ADLR), Asociación Pro Derechos Humanos de España (APDHE), Associació per a les Nacions Unides a Espanya (ANUE), Comisión Española de Ayuda al Refugiado (CEAR), Comunidad Bahá'í de España, Federació Catalana d'Organitzacions no Governamentals pels Drets Humans, Fundación Paz y Cooperación, Institut de Drets Humans de Catalunya (IDHC), Instituto de Estudios Políticos para América Latina y África (IEPALA), Justicia y Paz. España (JP. España), Liga Española Pro-Derechos Humanos (LEPDDHH), Movimiento por la Paz, el Desarme y la Libertad (MPDL), Paz y Tercer Mundo – Mundubat (PTM)), **Foro 2010 de Santiago de Compostela** (AIPAZ, SOIPAZ, Fundación Seminario de Investigación por la Paz de Zaragoza, Red de Escuelas de Paz de Andalucía, Fundación Cultura de Paz en Barcelona, Baketik, Instituto de Paz y Conflictos de la Universidad de Granada, Fundación per la Pau, Cátedra Unesco de la Universidad Jaume I de Castellón, Igadi, Centro de Estudos Sociais de la Universidad de Coimbra en Portugal, Fundación Galiza Sempre, Altermundo, IGESIP, Institut Català Internacional per la Pau, Coordinadora Gallega de ONGD, Consejo Internacional del Foro Mundial de Educación, Confederación de STE, Colegio de Psicólogos de Galicia, CIP Ecosocial de Madrid, Sociedad Iberoamericana de Pedagogía, Ospaaal Galicia, Seminario Galego de Educación para a Paz, Médicos del Mundo), **Hague Appeal for Peace** (157 NGOs worldwide, please see in <http://www.haguepeace.org>), **International Peace Bureau** (20 international and 270 national NGOs, please see <http://ipb.org/i/index.html>), **Global Network of Women Peacebuilders** (32 NGOs worldwide, please see <http://www.gnwp.org/>), **Asamblea Permanente de la Sociedad Civil por la Paz de Colombia** (65 colombian NGOs, please see <http://www.asambleaporlapaz.com/>) and **European Women's Lobby** (88 NGO worldwide, please see <http://www.womenlobby.org/>)

[2] The full text of the *Bilbao Declaration* can be consulted in several languages in <http://www.aedidh.org>

[3] The full text of the *Barcelona Declaration* can be consulted in several languages in <http://www.aedidh.org>

[4] The Congress was organised on the occasion of the “Forum 2010” (World Social Forum on Education for Peace), held in Santiago de Compostela, Spain on 9-13 December 2010. The Congress was sponsored by the Friedrich Ebert Stiftung Foundation, Nord Sud XXI, Universitat Abat Oliva, Peace without Borders, International Catalan Institute for Peace, Canary Fund for International Cooperation, Catalan Agency for Development Cooperation, Office for Promotion of Peace and Human Rights, Asturian Agency for Development Cooperation, UNESCO Etxea and the International Movement against Discrimination and Racism and supported by the Parliament of Catalonia, Junta General (Parliament) of the Principality of Asturias, the Cabildo de Gran Canaria, 3HO Foundation, Peace Boat and Campaign article 9.

[5] Vid. The full text of the *Santiago Declaration* in www.aedidh.org

[6] The statutes of the Observatory is also available in www.aedidh.org

[7] Last preambular paragraph of the res. 14/3 cit.

[8] Ibidem *id.*, operative § 15.

[9] A/HRC/AC/6/CRP.3, 22 December 2010

[10] Ibidem *id.*, paragraph 75

[11] Ibidem *id.*, paragraph 74

[12] Ibidem *id.*, paragraph 14

[13] Vid. the of the *Santiago Declaration* at www.aedidh.org

- [\[14\]](#) [Ibídem id.](#), paragraph 15. Vid. Also Annex VI
- [\[15\]](#) [Ibídem id.](#), paragraph 16
- [\[16\]](#) [Ibídem id.](#), Annexes IV y V
- [\[17\]](#) [Ibídem id.](#), paragraph 21
- [\[18\]](#) [Ibídem id.](#), paragraph 22
- [\[19\]](#) [Ibídem id.](#), sections IV to XV
- [\[20\]](#) [Ibídem id.](#), paragraphs 5-12 y 23-27
- [\[21\]](#) [Ibídem id.](#), Annex III
- [\[22\]](#) [Ibídem id.](#), paragraph 27.e
- [\[23\]](#) [Ibídem id.](#), paragraph 9
- [\[24\]](#) [Ibídem id.](#), paragraph 67.c
- [\[25\]](#) [Ibídem id.](#), paragraph 57.a
- [\[26\]](#) [Ibídem id.](#), paragraph 57.f3