

Statutes of the International Observatory of the Human Right to Peace

ARTICLE I THE OBSERVATORY

1. *The International Observatory of the Human Right to Peace* (henceforth: IOHRP) is to be established within the *Spanish Society for the International Human Rights Law* (henceforth: SSIHRL).

2. The IOHRP will begin its work three months after the approval of the present Statutes, in accordance with Article XII.1, *infra*. It will work uninterruptedly until its objectives have been fully achieved.

3. The IOHRP will have a permanent organic structure and will electronically coordinate a global network of international, regional, national and local non-governmental organisations which are interested in the promotion and defence of the human right to peace.

The NGOs which are part of the World Alliance on the Human Right to Peace will be especially invited to formalise their incorporation to the IOHRP.

ARTICLE II OBJECTIVES

The objectives of the IOHRP are:

1. To promote the *Santiago Declaration on the Human Right to Peace*, and to disseminate its principles and norms throughout the world.
2. To ensure that the process of international codification of the human right to peace, already initiated by the Human Rights Council and its Advisory Committee, is fulfilled with the approval by the Human Rights Council and the UN General Assembly of the Universal Declaration of the Human Right to Peace, which shall take into account the *Santiago Declaration* and its preparatory work.
3. To develop reliable indicators to measure the respect for the human right to peace world-wide by States and other international actors, in accordance with the normative content of the *Santiago Declaration*.
4. To prepare an annual report on the situation of the human right to peace in the world, in close collaboration with national and local NGOs integrated in the network of the IOHRP.
5. To establish a prevention and early warning mechanism to be effectively activated in conflict situations which might lead to serious violations of the human right to peace;
6. To dispatch fact-finding missions and to prepare, in cooperation with the relevant NGOs of its network, specific reports on situations where serious, massive and systematic violations of the human right to peace take place.

7. To follow up the implementation of prevention measures and the recommendations addressed by fact-finding missions on situations of serious, massive and systematic violations of the human right to peace.
8. To prepare specific urgent actions requested by the NGOs belonging to its network, in favour of persons and peoples reporting serious violations of the human right to peace, to be submitted to the competent bodies of the United Nations.
9. To submit studies and reports to the competent bodies of the United Nations, especially the Security Council, the General Assembly, the Economic and Social Council, the Human Rights Council and its subsidiary bodies, particularly the special procedures' system and the Advisory Committee; the treaty-bodies established by the international human rights treaties; and the supervisory mechanism to be eventually established to monitor the implementation of the *Universal Declaration of the Human Right to Peace* which shall be approved by the UN General Assembly.
10. To follow up the fulfilment of decisions, observations and recommendations adopted by the competent international bodies in the field of the human right to peace.
11. To train and strengthen members of its network and persons belonging to groups in situation of vulnerability on the contents of the human right to peace, the means for its defence and implementation, and the international complaint mechanisms.

ARTICLE III FUNCTIONS

The IOHRP will have, *inter alia*, the following functions:

1. To design, organise or take part in courses, meetings, forums, workshops and any other international activity aiming at the promotion and protection of the human right to peace.
 2. To provide legal advice and to facilitate access to justice to victims of violations of the human right to peace.
 3. To train on the principles of the human right to peace as a means of transforming and overcoming the causes and consequences of conflicts.
 4. To contribute to the peaceful settlement of controversies through the implementation of the human right to peace.
1. To promote research on the human right to peace in coordination with experts world-wide.
 2. To design and disseminate materials for practical training on the human right to peace.
 3. To develop a specialised section on the human right to peace within the SSIHRL Library, in both physical (books, monographs, magazines, documentation of International Organisations, etc.) and electronic formats (www.aedidh.org).
 4. To facilitate synergies of cooperation among NGOs and institutions working in favour of the human right to peace in an objective and impartial manner.

ARTICLE IV
APPLICABLE LAW

1. The substantive law to be applied by the IOHRP is that contained in the **Santiago Declaration on the Human Right to Peace** of 10 December 2010. Additionally, the Declarations on the human right to peace approved in Luarca (30 October 2006), Bilbao (24 February 2010) and Barcelona (2 June 2010).
2. Complementary, rules and principles of the international human rights law (the *International Code on Human Rights*) shall be applied.
3. From a procedural point of view the IOHRP shall be ruled by the present Statutes and the Regulations to be established by the IOHRP itself.

ARTICLE V
STRUCTURE

1. The IOHRP shall be established within the SSIHRL, thus benefitting from its institutional developments and experience obtained in the field of the human right to peace.
2. The IOHRP will have its own structure, different from that of the SSIHRL, in order to ensure its internal autonomy.
3. The structure of the IOHRP shall include the General Assembly of all its members; it will be led by the Executive Committee and its Bureau; and its activities will be carried out by the permanent International Secretariat.

ARTICLE VI
THE GENERAL ASSEMBLY. COMPOSITION AND CONDUCT OF BUSINESS

1. Any NGO interested in the promotion and defence of the human right to peace which is accepted by the Executive Committee, upon consultation with the International Secretariat, shall become member of the IOHRP General Assembly.
2. Each NGO member of the General Assembly will designate a representative and will have one vote.
3. The more than 800 NGOs associated with the codification process of the human right to peace within the civil society, shall be invited to apply for entry into the IOHRP as founding members of the General Assembly.
4. The eligible NGOs to become founding members shall have 12 months to submit their candidacy before the International Secretariat.
5. The International Secretariat will evaluate the candidacies received bearing in mind the criteria of independence, professionalism and objectivity showed by the candidate NGOs.
6. Candidate NGOs must be fully independent of governments or lobbying groups. NGOs which

support opposition groups whose aim is to overthrow through violent means an established regime, shall not be accepted.

7. Candidate NGOs should probe their capacity to evaluate the situation of victims of violations of the human right to peace without any kind of discrimination, including political affiliation, sexual orientation or religious convictions of the victim, regardless of whether it is a people or an individual.
8. Candidate NGOs must have as their main activity the defence of human rights, especially the human right to peace. They should also show experience in gathering testimonies and truthful information, as well as informing with objectivity and independence on any human rights violations, especially the human right to peace, which they have been able to verify.
9. NGOs which support armed struggle regardless of international law, war propaganda and the defence of national, racial or religious hatred which constitutes an encouragement to discrimination, hostility or violence against individuals and peoples, will in no case be invited to become part of the General Assembly.
10. The candidacy of any NGOs which have deliberately submitted false or unverified information to the International Secretariat or which have manipulated this information for reasons other than the defence of the human right to peace, shall not be allowed.
11. The International Secretariat will submit NGOs selected candidacies to the Executive Committee, which will decide upon them by a qualified majority of its members.
12. After the 12-month time period, the NGOs who so request it may be invited to become part of the General Assembly as ordinary members, in accordance with the procedure set out in paragraphs 4 to 10 *supra*. The Executive Committee will propose the selected candidacies, in accordance with paragraph 11 *supra*, to the General Assembly, whose members will also decide by qualified majority.
13. Any NGO belonging to the General Assembly may be expelled from it if it commits acts of an unacceptable nature as set out in paragraphs 4 to 10 *supra* by means of a procedure similar to that described in paragraph 11 *supra* and after the interested party be heard by both the Executive Committee and the General Assembly.

ARTICLE VII

THE GENERAL ASSEMBLY. COMPETENCES

The competences of the General Assembly are the following:

1. As the supreme body of the IOHRP, it will approve the general guidelines proposed by the Executive Committee and it will ensure their suitability to achieve the IOHRP objectives as set out in the present Statutes.
2. To approve by simple majority the annual activities report to be submitted by the Executive Committee.
3. To debate and approve by simple majority the draft Regulations of the IOHRP as submitted by the Executive Committee.
4. To debate and approve by qualified majority the NGOs candidacies to become ordinary

members of the IOHRP General Assembly, as submitted by the Executive Committee twelve months after the entry into force of the present Statutes.

5. To approve or, if appropriate, to censure the management of the IOHRP Executive Committee.
6. To approve the incorporation of new members to the Executive Committee when it will become to its first renewal, in accordance with Article VIII. 5, *infra*.
7. To examine and approve the Executive Committee annual report.
8. To approve the minutes of the preceding General Assembly's meeting.
9. To examine and approve annual accounts, in accordance with the report submitted by the Executive Committee.
10. To establish the ordinary and extraordinary membership fees to be paid by the members of the IOHRP General Assembly in order to contribute to the ordinary expenses of the IOHRP.
11. To agree to the opening, in Spain or abroad, of temporary or permanent IOHRP offices, as proposed by the Executive Committee for the achievement of the statutory objectives of the IOHRP.
12. The General Assembly will meet in person. However, when circumstances so advise it, the meetings of the General Assembly may be conducted by video-conference.
13. The extraordinary meetings of the General Assembly may be called by the Executive Committee, through its President, or at the initiative of a third of the members of the General Assembly.
14. Members not in attendance will be able to delegate their vote to members in attendance of their choice. Vote delegation will be made in writing and addressed to the President of the Executive Committee. The absolute majority quorum will be respected to consider the meeting of the General Assembly properly constituted.

ARTICLE VIII

THE EXECUTIVE COMMITTEE. COMPOSITION AND CONDUCT OF BUSINESS

1. The Executive Committee will be made up of 15 experts: ten international and five from Spain, in recognition of the leadership showed by the SSIHRL since 2005 along with its World Campaign in favour of the human right to peace.
2. The selection of the members of the Executive Committee will take into account gender balance and the fair representation of the five regions of the world.
3. The members of the Executive Committee must possess high moral consideration, impartiality and integrity, as well as demonstrating wide and sufficient experience in the field of international human rights law, especially the human right to peace.
4. The founding member NGOs in the IOHRP may propose, in a detailed document addressed to the International Secretariat, candidates to the first Executive Committee within the first three months after the establishment of the IOHRP. The SSIHRL will ensure that the constitution of

the first Executive Committee follows the rules established in the present Statutes.

5. In subsequent elections, the members of the Executive Committee will be chosen directly by the General Assembly of the IOHRP. Any member of the General Assembly may propose a candidate for the Executive Committee, in a detailed document addressed to the International Secretariat. The outgoing Executive Committee will ensure that the candidacy admission rules stated above are respected.
6. The mandate of the members of the Executive Committee will last for five (5) years. They may be re-elected only once for a further five-year period.
7. Every five years the Executive Committee will select a president, three vice-presidents and a treasurer from its members, from different geographic groups. The five chosen people will form part of the Bureau of the Executive Committee, which will have the competence to manage ordinary IOHRP business on behalf of the Executive Committee.
8. The Executive Committee will meet as often as is deemed necessary, and meetings will be called by its President, following consultation with the Bureau. Moreover, the majority of the members may also call for an extraordinary meeting of the Executive Committee, in a detailed document addressed to the President.
9. The meetings of the Executive Committee will meet in person. However, if circumstances advise it, and following the agreement of the Bureau, the President may call for video-conference meetings. The absolute majority quorum will be respected to consider the meeting of the Executive Committee properly constituted. Members not in attendance may delegate their vote to members in attendance of their choosing. Vote delegation will be made in writing, and addressed to the President of the Executive Committee.

ARTICLE IX

THE EXECUTIVE COMMITTEE. COMPETENCES

The competences of the Executive Committee are the following:

1. As the executive body of the IOHRP, to direct the work of the International Secretariat, to establish, in close collaboration with the International Secretariat, the priorities and strategies of the IOHRP in order to achieve statutory objectives, and to request the approval of the General Assembly of all the issues which require it, in accordance with Article VII of the present Statutes.
2. To elect members of its Bureau which will supervise the activities of the International Secretariat, including the administrative and financial management of the IOHRP.
3. To select the members of the International Secretariat in consultation with the SSIHRL.
4. To select the founding members of the IOHRP in consultation with the SSIHRL.
5. To propose to the General Assembly the incorporation of new ordinary members after twelve months of existence of the present Statutes.
6. To propose to the General Assembly the approval of the general guidelines of the IOHRP.
7. To propose to the General Assembly the approval of the IOHRP annual activities report.

8. To propose the approval of the IOHRP Regulations to the General Assembly.
9. To propose the approval of the IOHRP annual accounts to the General Assembly.
10. To propose the approval of the ordinary and/or extraordinary membership fees of the NGOs which are members of the IOHRP General Assembly.
11. To establish the main headquarters of the IOHRP and to propose to the General Assembly the opening in Spain or abroad of temporary or permanent IOHRP offices.
12. To approve the minutes of the preceding meeting of the Executive Committee.
13. To carry out any other function which is not of the exclusive competence of the General Assembly or the International Secretariat.

ARTICLE X
THE INTERNATIONAL SECRETARIAT. ORGANISATION AND COMPETENCES

1. Under the direct supervision of the Executive Committee and its Bureau, the International Secretariat will implement the decisions adopted by both the General Assembly and the Executive Committee in their respective areas of competence.
2. At the head of the International Secretariat in the main headquarters of the IOHRP there will be a Secretary-General, assisted by a Deputy Secretary-General to deal with administrative matters. The necessary support offices in the field (Geneva, New York, etc.) will be managed by a Director.
3. The International Secretariat will be supplied with the necessary substantive research staff to fulfil the statutory objectives of the IOHRP.
4. All staff of the International Secretariat will be selected by the Executive Committee. To this purpose, gender equality and an appropriate representation of the five regions in the world will be taken into consideration. Candidates must possess high moral consideration, impartiality and integrity, as well as show sufficient experience in the field of international human rights law, especially the human right to peace.
5. The International Secretariat will work closely with the Executive Committee and its Bureau in establishing the priorities and strategies of the IOHRP to achieve the statutory objectives.
6. The International Secretariat will submit to the Executive Committee proposals for new NGOs to join the IOHRP.
7. The International Secretariat will report to the Executive Committee and its Bureau on the administrative and financial management, including the annual accounts, of the IOHRP.
8. The International Secretariat will prepare for the Executive Committee and its Bureau the annual activities reports of the IOHRP.
9. The International Secretariat will prepare for the Executive Committee and its Bureau the draft Regulations of the IOHRP.

10. The International Secretariat will submit proposals for its own internal structure and working methods to the consideration of the Executive Committee and its Bureau.

ARTICLE XI

FUNDING

1. The IOHRP shall have a wide source of funding, both public and private.
2. Regional, national and international agencies for development cooperation, governments belonging to the Group of Friend States, public and private foundations, international human rights, pacifist and religious NGOs, among others, will be invited to contribute to the general budget of the IOHRP.
3. A balance will be maintained between the financial contributions received, in such a way that no particular funding source could improperly influence and threaten the independence and objectivity of the IOHRP.

ARTICLE XII

ENTRY INTO FORCE AND AMENDMENTS

1. The present Statutes will enter into force three months after their approval.
2. Amendments to the present Statutes will not be allowed during the first twelve months after the establishment of the IOHRP.
3. Once the period stated in paragraph 2 above has expired, the Statutes of the IOHRP may be revised by the General Assembly with the vote in favour of the qualified majority of its members.
4. The Executive Committee, in consultation with the International Secretariat, may propose to the General Assembly to examine the amendments to the present Statutes it may consider necessary.
5. The approval of the IOHRP Regulations will not entail any amendment to the provisions of the present Statutes.