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Spanish Society for the International Human Rights Law

REPORT ON THE BALKAN REGIONAL EXPERT MEETING ON THE HUMAN RIGHT TO PEACE

Parliament of Bosnia and Herzegovina, Sarajevo

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▪ Introduction

The Balkan regional expert meeting on the Human Right to peace, which took place in Sarajevo, Bosnia and Herzegovina on 30 October, was convened at the initiative of the Spanish Society for International Human Right Law (SSIHRL) and co-organized by the International Association of Peace Messenger Cities (IAPMC), Association Alumni of the Center for Interdisciplinary Postgraduate Studies (ACIPS) and UNESCO Etxea (EU). The meeting was sponsored by the Government of Catalonia (Office on the Promotion of Peace and Human Rights and Catalan Agency for Development Cooperation) and supported by the Institution of the Human Rights Ombudsperson of Bosnia and Herzegovina.

The main objectives of the meeting were:

- To share the Luarca Declaration on the Human Right to Peace with civil society, international organizations and academics from the Balkan region
- To identify strengths and weaknesses of the Luarca Declaration on the Human Right to Peace with the purpose of promoting a sustainable peace in the Balkan region
- To contribute to the elaboration of a draft universal declaration on the human right to peace which should represent the interest of the international civil society as whole, included that of people from the South Eastern Europe region
- To examine the context of the South Eastern Europe the close relationship between the respect of all human rights-civil, political, social, economic and cultural and the right to development- and the fulfillment of the human right to peace
- To study the role played by vulnerable and marginalized groups in the development of the human right to peace in the Balkan region
- To analyze the impact of the gender approach in the promotion of the human right to peace in the Balkan region
- To examine the right of victims to know the truth, to access to the justice and the right to obtain an effective remedy as a means to reach sustainable and lasting peace in the Balkan region

The Expert Meeting's language were English and Bosnian. The Meeting was held from 9:00 a.m. to 5:15 p.m. at the building of the Parliament of Bosnia and Herzegovina with the following programme:



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1. First session: Introduction to the Luarca Declaration on the Human Right to Peace
2. Second session: Strengths and weaknesses of the Luarca Declaration aimed at building sustainable peace in the Balkan region
3. Adoption of the Sarajevo Declaration on the Human Right to peace, Evaluation of the Meeting and Conclusions

The meeting was attended by 32 participants, experts and observers by civil society and representatives of national human right bodies and international organizations (see Annex II).

Mr. Alfred L. Marder, the President of the IAPMC opened the meeting and was a chairman during the First session. Ms. Amira Krehic from the Office of the Human Rights Ombudsperson of Bosnia and Herzegovina chaired the meeting during the Second session. During the Opening Ceremony following persons addressed the participants: Mr. Alfred L. Merder the President of the IAPMC, Ms. Amira Krehic representing the Office of the Human Rights Ombudsperson of Bosnia and Herzegovina; Mr. Sanel Huskic, Director of ACIPS.

During the first session, Mr. Carlos Villan Duran, President of the SSIHRL addressed the participants on a topic "*The Luarca Declaration on the Human Right to Peace and the World Campaign for the Human Rights to Peace*", after which followed the presentation of Ms Gorana Mlinarevic, Lecturer of the National University in Ireland (Galway) and academic tutor of the University of Sarajevo "*The Luarca Declaration on the Human Right to Peace as a tool to promote peace and dialogue in the Balkan region*".

During the second session, Ms. Nejra Nuna Cengic, coordinator of MA in Gender Studies at the Center for Interdisciplinary Postgraduate Studies of the University of Sarajevo made a presentation called "*The promotion of the human right to peace in post conflict society: challenges for achieving a sustainable peace*".

At the meeting conclusion, the Declaration of Sarajevo on the Human Right to Peace was discusses and adopted (see Annex III).

▪ **Opening Session**

Mr. Alfred L. Marder, President of IAPMC opened the meeting, welcomed all the participants and emphasized that he was very pleased to be in Sarajevo because of the importance of exchanging the ideas and thoughts on the topic of the Human Right to Peace. After, he introduced Ms. Amira Krehic and gave her the word.



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Ms. Amira Krehic, representative of the Office of Human Rights Ombudsperson of Bosnia and Herzegovina, greeted all the participants, especially organizers and coordinators of project, members of SSIHRL, IAPMC, ACIPS and UNESCO, encouraging further collaboration of Office of Human Rights Ombudsperson of Bosnia and Herzegovina, which is a national mechanism of protection of Human Rights and Ombudsman of Catalonia. Furthermore, she welcomed all the guests to Sarajevo, the city of tragic events that accrued 15 years ago, and she stated that that is the reason more to debate on a topic of human right to peace and the Luarca Declaration on the Human Right to Peace.

She explained that Bosnia and Herzegovina is a country of disturbed peace and needed to share learned lessons with participants of the meeting. Ms. Amira Krehic added that the rights such as economic, social, civil, political, cultural and others are precondition for a peace in Bosnia and Herzegovina and the world in general and ensuring those rights enables strong and stabile State. She also stressed that silence and no engaging in peace agreements caused breaking of human rights and represents a new threat to disturbing peace once again. She emphasized that current situation in Bosnia and Herzegovina produced by economic transition, is serious and disturbing, which also led to worrying situation in area of human rights in the country.

She declared that the social segments are not arranged in a proper and adequate manner and that the social and economic security is a precondition for normal life of every individual. Ms. Amira Krehic pointed out that Bosnia and Herzegovina, country affected by war 15 years ago, still does not have effective mechanism of transitional justice for war victims and their families in terms of punishment of perpetrators and compensation. Further, she implied, that since signing Dayton Peace Agreement in 1995 till now, many groups like women, young people, victims of torture are excluded from reaching political decisions, which prevents accomplishment of agreements. In conclusion, Ms. Amira Krehic stated that ahead of us is a difficult period to ensure achieving respect of human rights. In conclusion, she invited and encouraged all participants and speakers to the discussion that would be a good basis for the future declaration.

Mr. Alfred L. Marder thanked Ms. Krehic for her remarks and introduced next speaker, **Mr. Sanel Huskic**, the director of ACIPS.

Mr. Sanel Huskic observed that he had a special honor and pleasure to greet the experts of meeting and he expressed his contentment with collaboration with colleagues from Spain. He pointed out that now is the right moment to talk about the human right to peace because Bosnia and Herzegovina has a peace guaranteed by the Dayton Peace Agreement but that peace is often taken for granted. Mr. Sanel Huskic also emphasized that is important to discuss about the Luarca Declaration on the Human Right to Peace and Sarajevo Declaration, and that discussion would be a good foundation for taking further actions and measures in



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struggle for peace. He also added, that this issue is very important issue for Bosnia and Herzegovina and the people of Bosnia and Herzegovina that have right to achieve human right to peace which is commune to all people of Bosnia and Herzegovina. In conclusion, he stated that he would not take more time and that he would like to hear the opinions of the experts on human rights and he wished success and constructive work during the meeting.

Mr. Alfred L. Mader thanked Mr. Sanel Huskic and added that his entire life is devoted to the struggle for human rights and that the struggle for human rights included the struggle for peace as well. Reading the Luarca Declaration on the Human Right to Peace he noted that it had great significance for the human right to peace and the changes that society needed to go through in order to establish new construction to ensure this right.

Mr. Alfred L. Mader gave a word to **Mr. Carlos Villan Duran**, President of the SSIHRL who on behalf of the SSIHRL, welcomed participants to the consultation process to be carried out through the expert meeting. He added that the meeting was aimed at receiving input and recommendations of civil society on the Luarca Declaration on the Human Right to Peace, taking into account the situation of vulnerable groups. He added that for SSIHRL is of great importance to receive feedback from civil society and that one of the main goals for civil society is to be included in process of achieving the human right to peace.

He stressed out that is particularly important to take in consideration the rights of war victims, accessing justice and recompensation, which all are significant parts of battle for peace. Mr. Carlos Villan Duran than thanked the Parliament of Bosnia and Herzegovina for support and hosting this meeting, he also thanked Mr. Alfred L. Mader, president of the IAPMC for collaboration, Mr. Sanel Huskic, director of the ACIPS. Furthermore, he thanked for support to Institution of Human Rights of Ombudsperson of Bosnia and Herzegovina and their representative Ms. Amira Krehic. He also thanked the speakers of the Sarajevo meeting, to Ms. Gorana Mlinarevic, lecturer of the National University in Ireland (Galway) and academic tutor of the University of Sarajevo and to Ms. Nejra Nuna Cengic coordinator of MA in Gender Studies at the Center for Interdisciplinary Postgraduate Studies of the University of Sarajevo. Mr. Carlos Villan Duran mentioned support of UNESCO and invaluable collaboration of the organization in helping with the arrangements for the meeting. He recalled that UNESCO has been a pioneer on the theme right to peace and that its former director, Federico Mayor, had given a new impulse to this initiative, contributing to UNESCO's work on a culture of peace. Finally, he thanked the meeting's sponsors, namely the government of the Spanish region of Catalonia and to the Office of the Human Rights Ombudsperson for Bosnia and Herzegovina. He also thanked to Mr. David Fernandez Puyana for organizing and coordinating this meeting. Mr. Carlos Villa



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Duran concluded by expressing the hope to have a productive and interesting meeting encouraging all participants to take active part in the debate.

- **First Session**

3.1. The Luarca Declaration on the Human Right to Peace and the World Campaign for the Human Rights to Peace

Mr. Carlos Villan Duran expressed his contentment because on this precise day, three years ago the Luarca Declaration on the Human Right to Peace was adopted. He also explained that the codification of the human right to peace was a process that had been initiated by civil society and government of Spain, as well as the regional governments of Asturias, Catalonia and Basque country had mainly sponsored this process.

The whole process, he explained further, started in a Spanish city Guernika at 2005 with the meeting of experts of distinguished academic background. He recalled Guernika, which German fighter planes had bombarded and famous painter Pablo Picasso immortalized that event. Picture symbolizes horrors of Spanish Civil War and represents violence against civilians during that conflict. He added that academics who met in Guernika, built on the process on the right to peace, already initiated by UNESCO, and finally after six meetings in different cities of Spain, a group of Spanish academics and members of civil society gathered in Luarca, village in Asturias, and adopted the text of the Luarca Declaration on the Human Right to Peace on 30 October 2006. Once again, he emphasized the importance of the expert meeting because it had led to a clear purpose, which is, that peace had to be addressed as human right.

Mr. Carlos Villan Duran recalled that the human right to peace is deeply rooted in the UN Charter and the Universal Declaration of Human Rights, two instruments universally accepted. The human right to peace, he recalled, is deeply rooted as a main value of the UN Charter and all other international instruments of UN since 1940. The Luarca Declaration on the Human Right to Peace takes in account the preamble, purposes and principles of the UN Charter. He noted that the Declaration also recalled the obligation to resolve disputes through peaceful means. One of the main aims of the UN Charter is to establish and to ensure peace and peace building, and as well to forbid the use of force, in order to gain peace and international stability. The Luarca Declaration on the Human Right to Peace stresses the need to establish a new economic order, which will eliminate the inequality, exclusion and poverty, which generate structural violence incompatible with peace.



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Mr. Carlos Villan Duran then observed that the Luarca Declaration on the Human Right to Peace also referred to number of international instruments other than the Charter of UN and the Universal Declaration of Human Rights, in particular the UN human rights instruments, such as the 1978 UN Declaration on the Preparation of Societies to Live in Peace and the 1984 UN Declaration on the Right of Peoples to Peace. Further, he explained, the Luarca Declaration on the Human Right to Peace included already codified rights and gave a new perspective towards the achievement of peace, and reinforced the universality, indivisibility and interdependence of human rights.

In continuation, Mr. Carlos Villan Duran explained that the Luarca Declaration on the Human Right to Peace also provides a number of new rights, not presented in other instruments. These include: the right to disobedience and conscientious objection in the pursuit of peace (article 5); the right to resist and oppose cruelty (article 6); and the right to disarmament (article 11). Special interest Mr. Carlos Villan Duran has dedicated to these articles, giving thoroughly explanations and remarks.

Then, he turned his attention to group of basic rights, economic, social and cultural rights in the Luarca Declaration on the Human Right to Peace such as: the right to food, drinking water and sanitation, health and housing (article 3(a)); the right to a safe and healthy environment and protection from violence (article 4). He then explained in great details observance and violations of these rights around the world.

Mr. Carlos Villan Duran presented the study showing the link between poverty and civil war. As an illustration, he showed a list of countries that produce anti-personal mines, as well as studies showing countries total military expenditure contrasting these to scarce and limited resources devoted to development aid. Mr. Carlos Villan Duran particularly stressed issue of countries that produce anti-personal mines, and emphasized awareness of problem with mines that Bosnia and Herzegovina still has.

The Luarca Declaration on the Human Right to Peace addresses the elimination of all forms of violence (armed, structural and cultural). Explaining armed violence; Mr. Carlos Villan Duran mentioned 40 current armed conflicts. In relation to a consequence of violence, he examined the issue of refugees and internally displaced persons in the world. Violence, he emphasized, generates some 25 millions of refugees and 25 millions of internally displaced persons.

He then observed that structural violence generates poverty and hunger, which led to an increase in number of economic migrants. The rising invasion of economic migrants (around 200 millions of migrant workers), he noted, has led to a strong reactions in number of receiving countries that resulted by creation of "fortress" against migration in Europe, or in a case of United States of America,



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building of walls and barriers. He also mentioned that the results of clandestine migration unfortunately sometimes are fatale and that occurs with increasing frequency.

Mr. Carlos Villan Duran said that the Luarca Declaration on the Human Right to Peace emphasizes the need to establish a new economic order based on the general disarmament of all States, and a fair distribution of the recourses. Main preoccupation, he noted, is to make a distribution of recourses freed by disarmament to cover the need of poorest countries and most vulnerable groups. Then, he displayed data on total amount of recourses that could be freed in such a route was to be adopted. He also emphasized the facts concerning ten arms world dealers, mainly in United States of America, and some in Europe (Italy, United Kingdom and France).

Before explaining the structure of the Luarca Declaration on the Human Right to Peace, Mr. Carlos Villana Duran, stated that it addresses individuals, groups and peoples, because the peace is as much as individual as it is collective right, and Declaration contains, in the first part a number of rights and obligations (from article 1 to 15) and in the second, implementation and final provisions (article 17 and 18). He further explained that obligations and duties established by the Luarca Declaration on the Human Right to Peace (article 16) exist for States, international organizations, civil society, peoples, men and women, corporations and other elements of society and, in general, to the whole community, which goes beyond what is presented in most of existing international documents of human rights.

Further, Mr. Carlos Villan Duran, explained rest of the articles of the Luarca Declaration on the Human Right to Peace, especially emphasizing articles 10, 16, 17 and 18. The article 10 is very important to Bosnia and Herzegovina and it refers to the right to effective remedy, which means that: everyone has the right to protect him or her against infringements; everyone has the imprescriptible and unrenounceable right to obtain the justice, including the investigation, establishment of the facts, identification and punishment of those responsible; the victims and the members of their families have the right to know the truth and finally, every victim of infringements of human rights has the right to restoration of his or her rights and to obtain redress in accordance with International law, including the right to compensation and measure of redress or symbolic reparation, as well as guarantees that the infringement will not be repeated.

In continuation, Mr. Carlos Villan Duran, explained the importance of article 16 "Obligation and realization of the Human Right to Peace" and to fulfill that it is necessary to involve all segments of society, States, international organizations, multinational cooperation's, the whole international community. He stated that the fundamental responsibility to maintain the peace lies with the States and also United Nation Organization as a center organization to fulfill the purpose and



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principles proclaimed in the United Nations Charter. The function of States, he added, is to protect human rights, to respond to catastrophes, to undertake measure to build and consolidate peace. Through explanation of this article, he especially emphasized the significance of the Security Council of UN, which is a key body for establishing peace, but in functions it had a number of deficiency such as the lack of transparency and the absence of involvement of civil society. The Security Council of UN in order to be a powerful and fully functional body, has to be revised and the representatives have to be redistributed more equally, for its proper function, he added, the Security Council has to revise the right to veto.

Finally, he addressed the remaining articles (articles 17 and 18), which refers to implementation of the Declaration, which is different form other declarations and similar instruments. One of the aims of the Luarca Declaration on the Human Right to Peace is to set a Working Group on the Human Right to Peace, which will consists of 10 experts to endorse the observance and awareness of the human right to peace and gather relevant information. The members of the Working Group will be chosen at a session of the UN General Assembly, and the criteria of moral standing, equitable geographical distribution and gender representation would be taken into account. The main function of the Working Group is to promote observance and implementation of the Declaration. It has following powers: to promote worldwide observance and awareness of the human right to peace; to gather, assemble and respond effectively to and relevant information form States, organizations and other relevant sources; to address when it is necessary to Member States and UN to adopt appropriate measure for realization of the human right to peace; to draw upon its own initiative or at the request if the General Assembly, the Security Council or the Human Right Council the reports; to present an annual report on its activities to the Security Council or the Human Right Council; to prepare for the attention of the General Assembly, a proposal for an international convention; to submit to the Prosecutor of the International Criminal Court or other competent international tribunal information about situation in witch appears that crimes have been committed; to approve by absolute majority the working methods for the functioning of the group.

In continuation, Mr. Carlos Villan Duran, in the greater detail explained the world campaign on the human right to peace and its promotion, principally by the SSIHRL, through a series of meetings held in five regions all over the world, in other to receive feedback and inputs on the Luarca Declaration on the Human Right to Peace and to ensure support for the codification process in UN. Through those meetings very valuable information and comprehension from the experts have been gathered to promote the Declaration. After meeting in Sarajevo, the meeting in Geneva, Egypt and Spain will be held as well. He also added that 8 joint written statements have been submitted to the UN Human Rights Council by 203 NGOs on



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the human right to peace, and also 11 oral statements. The parallel meeting have been organized, 14 in Geneva and 3 in New York.

Another important fact is that in 2009 Catalanian and Asturian Parliaments adopted by consensus adhered to the Luarca Declaration on the Human Right to Peace. Mr. Carlos Villan Duran used the opportunity to present the book of the Luarca Declaration on the Human Right to Peace published in 2007 and re-edited in 2008 and to state that second publication will be made in 2010, both consisting feedback and information from different meetings held all over the world.

Through that process the net with 12 NGOs in Catalonia has been established and they are helping in promotion of the Luarca Declaration on the Human Right to Peace in order to achieve the human right to peace. Mr. Carlos Villan Duran mentioned the important role of the World Alliance on the Human Right Peace and addressed all States, Universities and Academic Institutions, Human Rights Institutions, NGOs, Governments (national, regional and local), civil society, international organizations, Parliaments (internationals, nationals and regional), all international actors to join World Alliance on the Human Right Peace in battle for peace, because peace should be codified as the human right to peace by United Nations.

Finally, he stressed that at the end of this year, when all of the necessary consultations have been made, including revision of the Luarca Declaration on the Human Right to Peace, another part of process will occur. The main point of the process is to adopt the final text on the basis of the different inputs received from civil society around the visited regions and so in 2010 at 09 and 10 December, International Congress on the Human Right to Peace of members of civil society will take place in Santiago de Compostela (Spain) in order to discuss and adopt the final text to be submitted to the UN Human Rights Council. Before International Congress a preparatory Technical Committee in Bilbao and an International Drafting Committee on the Draft Declaration on the Human Right to Peace in Barcelona will be organised. He further explained the aim of this campaign is to ensure that the Declaration on Human Right to Peace is adopted by UN General Assembly after the codification of a text through the Human Rights Council. Finally, Mr. Carlos Villan Duran stated that the result of adopting the Declaration on Human Right to Peace would have double effects: adoption of Declaration by international civil society and establishing an Observatory on the human right to peace. Finishing his presentation, Mr. Carlos Villan Duran thanked participants for their patience and attention.

3.2. "The Luarca Declaration on the Human Right to Peace as a tool to promote peace and dialogue in the Balkan region"



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Ms. Gorana Mlinarevic started her presentations by explaining that the main premise for the Universal Declaration on Human Rights and the modern system for the protection of human right has been peace, and more lasting peace. Nevertheless, this precondition in Bosnia and Herzegovina has never been achieved. She emphasized the importance of human right to peace, but also asked a question of what this human right to peace should comprise of and how it can be implemented. She added that the issue of implementation of peace is very important for our society that is still recovering from the war and we need to use all available means in order to build sustainable peace in our society. Ms. Gorana Mlinarevic stressed that the referent point of her discussion is Bosnia and Herzegovina rather entire Balkan region, mainly because Bosnia and Herzegovina has many of its specificities. She explained that her presentation is structured in such way to address first the definition of human right to peace in context of Bosnia and Herzegovina and at the end, she would address the issue of implementation, which is a burning issue in respect to the securing of human rights in general.

Ms. Gorana Mlinarevic, emphasized the importance of positive concept to peace, mentioned in the Luarca Declaration on the Human Right to Peace, which goes beyond strict absence of armed conflict. The positive concept to peace is "linked to economic, social, cultural development of peoples as a condition for satisfying the basic needs of human beings, in the elimination of all kinds of violence and to the effective respect for all human rights." In the Luarca Declaration on the Human Right to Peace, as well in recently human rights documents, human rights are finally being treated as inalienable, universal, indivisible and interdependent. She added, regarding the context of positive peace in Bosnia and Herzegovina is complex because Bosnian society immediately after war was defined as "post-conflict" and was pushed into transitional period from one kind ideological regime into another. She also stated that only "post-conflict" interventions were disarmament, changing of registrations plates not to reflect the specific area of Bosnia and Herzegovina (in order to increase mobility) and war crime trials. Mentioned interventions are very important for creation of lasting peace, but obviously insufficient steps for development of positive sustainable peace.

In continuation, Ms. Gorana Mlinarevic turned her attention to issues such as social justice and equality, eradication of extreme poverty, which generates structural violence, non-discrimination and gender equality, mentioning article 11, paragraph c, which based on her opinion, could be a great tool for advocacy in respect to the resolving some of the issues in relation to the economic and social rights in Bosnia and Herzegovina that are currently burning issues.

Stating the paragraph 14 of the Preamble of the Luarca Declaration on the Human Right to Peace, Ms. Gorana Mlinarevic added that in Bosnia and



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Herzegovina after the war, the issue of the justice and truth under the idea that peace must be based on justice and truth is the issue that has not been adequately addressed. Furthermore, article 10 of the Luarca Declaration paragraphs 1, 2, 3, 4 provide right to an effective remedy and in the context of Bosnian and Herzegovina the paragraphs 2-4 of the article could be applicable. She also explained that some of the people in have obtained justice, but most of the victims are still waiting for it. With at least 6000 potential war crime cases waiting to be resolved before the Court of Bosnia and Herzegovina we cannot talk about the end of impunity. She noted that the issue of the truth in Bosnia and Herzegovina is problematic one since this is one of the issues that is easily being manipulated by ruling elites.

Ms. Gorana Mlinarevic noted that the state of Bosnia and Herzegovina has not undertaken any steps towards meeting the requirements and reparation and that the delivery of "justice" (which is not defined only within legal terminology and does not only refers to trail) has somehow bypassed the victims. During the trail, most of the attention is paid to the right of the defendants to a fair trail, while witnesses remain only evidence/objects, especially in war crimes sexual violence cases where statements of survivors are only evidence. She also emphasized important fact, that women, who survived sexual violence during the war, do not have the same status in territory of Bosnia and Herzegovina. The raped women in Federation of Bosnia and Herzegovina, in terms of social protection, are recognized as a separated category in the law without proving 60 % disability, but women in territory of Republika Srpska have only status of civilian victims and only if their body where damaged by rape at least 60 %. In the Brcko Dicstict, in respect to persons who survived sexual violence during the war, the law recognizes the status of the civilian victim of war only to persons who are permanently psychologically disabled due to rape and the required disability is again 60 %. Furthermore, in Federation of Bosnia and Herzegovina, civilian victims of war have, apart form the monthly pensions, the right to be trained for work (professional rehabilitation, requalification and additional qualifications) and propriety in employment, housing, psychological and legal aid. But women who survived sexual violence during the war only enjoy rights to pension, which is hardly enough for decent living. In addition, Ms. Gorana Mlinarevic explained, the law on Amendment to the Law on Basis of Social Protection, Protection of Civilian War Victims, and Protection of the Families with Children in the Federation of Bosnia and Herzegovina provides for the Cantons, when taking into consideration priority in hosing to give specially priority to those civilian victims to war who testified in the Court. In her opinion, by doing this, the law is blackmailing the civilian victims of war into testifying, whether they are prepared to do so or not. She also underlined the need to address the issue of women as vulnerable groups in improved way, by defining article 14 of the Luarca Declaration on the Human Right to Peace more closely and specific. She emphasized the fact that women are often left out from



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making political decisions as a result of patriarchal discussion and therefore the dialogue on different levels should be established in order to resolve this issue.

Continuing further, Ms. Gorana Mlinarevic emphasized that the right to an effective remedy placed in one document such is the Luarca Declaration on the Human Right to Peace is very practical and comprehensive and it allows discussion about the restoration of rights, which was rarely found in the human rights documents. In relations to this, she explained, this could be a helpful document for the associations of victims and Luarca Declaration would be a legal basis in a fight for their rights.

Another issue, that Ms. Gorana Mlinarevic addressed, even though it does not appear as closely connected to Bosnia and Herzegovina, regards the issue of "international migration regime which recognizes the right of every person to emigrate and settle peacefully in the territory of the State" especially so, through the right to refugee status and right to emigrate, to settle peaceably and to participate to provide for by article 7 and 8 of the Luarca Declaration on the Human Right to Peace. She further explained, that it is something that Bosnia and Herzegovina withheld those rights to Roma refugees from Kosovo. In order to achieve peaceful the sustainable peace, Ms. Gorana Mlinarevic, suggested that the civil society must pay attention to that issues especially when they are underlining xenophobia and racism. The articles 7 and 8 of the Luarca Declaration on the Human Right to Peace in force the state would be forced to retrieve its discriminatory laws regarding the "aliens".

Observing the Luarca Declaration on the Human Right to Peace and comparing it with relevant issues in the Bosnia and Herzegovina, Ms. Gorana Mlinarevic mentioned an important issue constantly presented in the public discourse of Bosnia and Herzegovina. Quoting the paragraph 17 of the Preamble of the Luarca Declaration, she explained that sustainable peace could only be built through dialogue, mutual understanding and respect for cultural diversity and only through respect of fundamental rights and freedoms. Although this is something that is often mentioned in the public discourse, it is still unachievable on the ground. She also explained, that the representatives of the civil society that are included in the human right promotion have been infinitely talking about dialogue, mutual respect for cultural diversity but it seems without a success. Ms. Gorana Mlinarevic then brought this issue in connection with the article 12 paragraphs 1 and 2, explaining that it potentially can present good tool for overcoming of the ethnic division in Bosnia and Herzegovina. Then, she explained each paragraph it self, emphasizing that the first one is almost self-explanatory because it creates the same bases of interest of the all the peoples in Bosnia and Herzegovina, and the second one is very relevant for the current state of Bosnia and Herzegovina and situation in which it may soon find it self. The civil society had the right to request from the ruling elite in the state not to bring them in the position in which we are



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going to be forced instead of our development to dedicate our resources to service the foreign debts.

Ms. Gorana Mlinarevic added, that in the context of paragraph 17 to the Preamble of the Luarca declaration, her attention was drowned to article 5 and the right to disobedience and conscientious objection. Stating the article 5 and paragraph a), she linked that with the Constitution of Bosnia and Herzegovina and articles referring to Responsibilities of the Relation Between the Institution of Bosnia and Herzegovina and the Entities (article II of the Constitution), Parliamentary Assembly (article IV of the Constitution) especially referring to the delegates onto the House of People, Presidency (article V) in the part of referring to the election of the judges.

In addition, she noted the articles 4 and 13 of the Luarca Declaration on the Human Right to Peace, referring these rights as something that is of urgent matter and that need to be addressed properly. Safety is the only issue that has a significant outcry on the street of Bosnia and Herzegovina, especially in Sarajevo. Safety is proved to be mobilizing factor for the civil society. In referring the article 13, Ms. Gorana Mlinarevic stated that Bosnia and Herzegovina is becoming waste dump of the Europe-old cars with old system, of exhaust pipes are just one of the examples. In addition, she mentioned that natural recourses such as rivers and forests are being destroyed.

Finally, Ms. Gorana Mlinarevic mentioned few significant moments. The first one is definition of holders of the right to peace: "Individuals, groups of peoples". She finds important that giving the rights to groups (other then the ones defined through ethnic belonging) is significant step to addressing the question of political representation (that is not based only on ethnic belonging). The second significant step was made when apart form rights some obligations have been directly defined for "States, international organizations, civil society, peoples, men and women, corporations and other elements of the society and, in general, the whole international community (article 16). In her opinion, this is something that the classical approach to rights used to omit. Ms. Gorana Mlinarevic found this thorough identification of all actors responsible "effective and practical realization of the Human Right to Peace" and a basis to call upon the irresponsible ones.

Another important issue that MS. Gorana Mlinarevic addresses was the issue of the implementation of the Luarca Declaration, which she founded problematic in Bosnia and Herzegovina. She also noted that the international documents that the Luarca Declaration on the Human Right to Peace reeferes to and incorporates, are nothing new for Bosnia and Herzegovina, because they are enlisted within Constitution of Bosnia and Herzegovina as a part of Annex I. Regarding the monitoring of that process, Constitutional Court of Bosnia and Herzegovina has only competence to monitor the enjoyment of the rights and freedoms directly referred in the article II 2. (the rights and freedoms set forth in the European



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Convention for the Protection of Human Right and Fundamental Freedoms and its Protocols) and the rights and freedoms enumerated in the article II 3. of the Constitution (which are mainly same rights provided for in European Convention). In the respect of all other rights Bosnia and Herzegovina is obliged to respect, the Constitutional Court of Bosnia and Herzegovina had competence to monitor them only in respect to non-discrimination (article II 4. of the Constitution). This primarily refers to the economic, social and cultural rights and other that require and kind of action by state.

Ms. Gorana Mlinarevic concluded that the human right to peace is the right defined in such a way to require positive actions of the state in order to be effective. She highlighted problem with international monitoring mechanism, but as has seen in Bosnia and Herzegovina, the problem is that the state has not got any competence mainly because its decentralization, and there is no one who assumes responsibility for the failure of the state to respect the human rights. Regarding to this, the mechanism needs to be more innovative and advanced.

In conclusion, Ms. Gorana Mlinarevic observed, in the context of Balkan region, that the understanding of the human right to peace as the concept connected to the economic, social and cultural development of the individuals, groups and peoples would be the best promoter through dialogues on the issues of common interest such as safe and healthy environment, right to education on peace and human rights, right to a sustainable natural environment. Finally, she concluded by stating that unfortunately, only after dialogue is established on such issues but in the context of right to peace, the society can turn to issues of requirements of peace and truthful information since they are still being the contested issues.

3.3. Debate on the first session

Ms. Amira Krehic thanked Ms. Milnarevic on her presentation and open the debate on the first session.

Mr. Carlos Villan Duran congratulated Ms. Mlinarevic on her presentation from perspective of Bosnia and Herzegovina, and thanked her on valuable remarks and suggestions made, in order to ensure that the Luarca Declaration on the Human Right to Peace was acceptable and appropriate for Bosnia and Herzegovina. Then he addressed the issue of which is he was aware of and that is of great significance for Bosnia and Herzegovina, and that is the question of establishing the truth, justice and reparation for the war crimes and crimes against humanity which occurred on the territory of Bosnia and Herzegovina during the last war.



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Also regarding remarks that Ms. Mlinarevic made in relation to article 12 of the Luarca Declaration on the Human Right to Peace that he found very significant for Bosnia and Herzegovina and other countries as well, and also he agreed with Ms. Mlinarevics interpretation of the article 14 paragraphs 2 and he emphasized that such comments regarding this article have been mentioned on some other meetings. He observed that he agreed with her remarks and he also underlined that this article should be revised in order to address gender issue in a manner more appropriate and in a way to avoid patriarchal connotations.

Mr. Alfred L. Marder joined the discussion to share his observation on this matter. He stated that he very much appreciated all activities completed on the promotion of the Luarca Declaration on the Human Right to Peace and that he supported all activities to be made. As a member of peace campaign, he stated that this is very important step and that international civil society needs to be involved in a global peace campaign.

Regarding the remarks and observation made by Ms. Mlinarevic, Mr. Alfred L. Marder noted the issue of health protection in United States of America, and mentioned the fact that 50 million of Americans do not have a health protection. Also he made a comment regarding the war and responsibilities in war clarifying that although the poverty, violence, hunger and awful economic situation can generate war, the reality is more complex and has political foundations as well. Therefore, he explained, people of Balkan, Afghanistan and Iraq are not to blame for wars.

Another observation made by Mr. Alfred L. Marder was directed to article 5 paragraphs b) and e). Concerning the part of article which gives "the right of the members of any military or security institution to disobey criminal or unjust orders during armed conflicts and to refrain from precipitating in armed operations, whether International and national, which infringe the principles and norms of International human rights law on International humanitarian law", Mr. Alfred L. Marder noted that the punishment for disobeying military orders are very high and that great number of soldiers do not feel free to oppose orders. In aspect of paragraph e) Mr. Alfred L. Marder observed that avoiding paying taxes in United States of America have a serious consequences such as high punishment, losing jobs and houses and that the regulations which provide exclusions form tax pay are rare, therefore the taxes must be paid.

In continuation, Mr. Alfred L. Marder addressed the issue the right of disarmament that is very essential, explaining that today's society is in great extent militarized, stating the fact that trillion dollars in USA are being used for military budget and purposes. He also highlighted the number of people employed in factories who produce weapons.



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Finally, Mr. Alfred L. Marder agreed that the Luarca Declaration on the Human Right to Peace would make a great contribution for the human right to peace, but also he explained the fact that he is aware of, and that is that in the practical sense the implementation of the Luarca Declaration would be hard to achieve. In order to attain that, the society needs to go through great changes by establishing better international relationships between countries and reaching mutual agreements therefore, he hoped that the USA would agree to sign this document soon.

Ms. Amira Krehic thanked the participants and encouraged further discussion.

Mr. Radoslav Marjanovic, from Center for Education of Judges and Prosecutors of Federation of Bosnia and Herzegovina, joined the discussion and greeted the idea of the Luarca Declaration on the Human Right to Peace and as a an activist for peace for 16 years, and supported the initiative for codification of Declaration in 2010. He also expressed his contentment that Sarajevo, the city once occupied, was chosen to contribute to the path of achieving the human right to peace. He also suggested that the Luarca Declaration on the Human Right to Peace should be translated in all three official languages of Bosnia and Herzegovina, Bosnian, Croatian and Serbian in other to accomplish better understanding from civil society of entire Bosnia and Herzegovina. He underlined that process of codification would be hard and long, but our task is to start with it so the young people could finish it.

Mr. Sanel Huskic joined the discussion by emphasizing that the Luarca Declaration on the Human Right to Peace was in a certain way promoted in comparison to other UN instruments, but he underlined the issue of cultural violence that has been always present in the civil society, and today's societies unfortunately function in that way. In his opinion, the cultural violence is deeply rooted in all nations. Explaining that, he made few examples how society celebrated cultural violence, such as story telling about victories, monuments build to mark the moments of violence, everyday events filled with hostility, which all promote cultural violence. Finally, one the categories that should be added to the Luarca Declaration on the Human Right to Peace is shift from the culture of violence to the culture of peace. He also noted that this process would be long termed, but in the same time it is a key moment in struggle for peace.

Ms. Amira Krehic gave the word to **Ms. Gorana Mlinarevic** who asked a question concerning article 18 paragraph g) relating to the Working Group and their competency to submit Prosecutor of the International Criminal Court reliable information. Her question was formulated in a way of what actions could be undertaken to strengthen the competency of the Working Group in such manner so



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that body could give the advice to UN Security Council, or to have similar relations that Security Council have with International Criminal Court.

Mr. Carlos Villan Duran took a part in discussion, by clarifying that the articles 17, 18, and 19 of the Luarca Declaration on the Human Right to Peace are structured in the way so that Working Group could maintain its competency and effectiveness without making changes and additions to UN Charter and the Universal Declaration of Human Rights. In the closing stages, he added, intention is to strengthen competency and assign more authority. Mr. Carlos Villan Duran highlighted that the solution reached in the Luarca Declaration was to give the Working Group to submit to Prosecutor the information concerning criminal activities and the Prosecutor decides upon whether to take further measures or not. In his opinion, this question is extremely important and critical as well, because of two main issues: International Community address Security Council as a reliable body in its current state, and also he stated, that the intervention of certain organizations and bodies such is Security Council in the competency and area of judicial system is unadvisable. In conclusion, he recalled the main idea would be to make Security Council more effective within its powers.

Mr. Alfred L. Marder continued dissuasion by emphasizing that the key of the discussion concerning Security Council of UN is in the structure of that body. With current composition of Security Council of UN, it is difficult that it would function to the fullest extent. Also, he recalled that it is extremely complicated for ICC to overcome set limitations and obstacles imposed by the UN and that is in a way frustrating to achieve the change and improvement if you are restricted by the great forces who have most of the power.

Ms. Amira Krehic participated in discussion by drawing a parallel between UN and Bosnia and Herzegovina in a matter that the problem that Bosnia and Herzegovina has is Entities voting, and that was the issue of vital significance. Entities voting as such regulated in Constitution of Bosnia and Herzegovina, but in order to achieve positive changes, certain premises have to be made, such as alteration of law system which would ensure better protection of human rights. She also explained that trough some laws, the certain types of discriminations are legalized. The law arrangement in Bosnia and Herzegovina is the consequence of concessions and agreements of political representatives. Ms. Amira Krehic also underlined that Constitution of Bosnia and Herzegovina itself, distribute competence and creates assumptions for different treatment and exercise of the rights. Finally, the issue that should be raised is how to reinforce mechanisms and undertake measures to guarantee implementation of the Luarca Declaration on the Human Right to Peace. In conclusion, Ms. Amira Krehic added that the positive reaction from Security Council of UN is of great importance for the future of the Declaration.



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Mr. David Fernandez Puyana joined the discussion by stressing the issue of the implementation and he added that the role of the Human Right Council of UN in this area is of tremendous importance. He also noted that in the Human Right Council the Resolution of peace was adopted and promoted by the Non-aligned movement.

Further, he agreed with most of the participants involved in the discussion, that there is a need to create one constant body that would deal with the human right to peace and that is the challenge for the work in future. Mr. David Fernandez Puyana also mentioned expert meeting organised by the OHCHR that would be held on 15 December 2009 in order to promote contents of the human right to peace.

Mr. Carlos Villan Duran added to Mr. Fernandez Puyana, information that the mentioned meeting summoned by the Human Right Council of UN was in a fact Workshop of Experts in which 15 experts from all around the world would participate and discuss of the issue of the right of peoples to peace. He also stated that SSIHRL would participate as well and that is of significant because the Human Right Council of UN is drawn in the campaign and the its reactions are positive. Another important fact is that the Cuba and Non-aligned movement is going to be involved in activities as well. Mr. Carlos Villan Duran explained the purpose of the Workshop and that is to try to make distinction between the right of peoples to peace from the human right to peace. He also agreed with Mr. Huskic that the task ahead was hard and long-termed and that society needed to go through complete changes.

The expectation from organizing the Workshop, he added, is to reach the commune attitude towards moving on in the struggle for peace. He also expressed his hope that the Human Right Council of UN would support the human right to peace initiative, where the main holders are individuals and peoples. One of the imperative activates is for the Human Right Council to appoint the Independent Expert for the human right to peace, and in addition, to make study, recommendations and feedback on the human right to peace in order to achieve the codification of the human right to peace. Finally, the selection of the Independent Expert would be considered as a first step on that path. By that time, the conclusions on the Global Conference would be obtained and presented upon the Human Right Council that would result by presenting of the final text to be adopted in 2010.

Ms. Amira Krehic gave the word to **Ms. Gorana Mlinarevic** who had a remark on the statement of Mr. Villan Duran referring to the human right to peace as right of individuals and peoples. She felt important to stress that, in the definition, the right to peace for individuals and peoples, the right to peace of groups should be included as well. In that context, the right of groups, other than the ones defined through ethnic belonging, should be addressed as a specific category.



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Mr. Carlos Villan Duran referring to Ms. Mlinarevics statements explained that peoples and groups are not the same, but in legal point of view, individuals and groups of individuals are the same thing in the context of the human right to peace.

He also added that in one side the members of the Non-aligned movement support exclusively the right of peoples to peace; in the other side members of the Human Right Council of UN prefer definition that the human right to peace is individual right. Mr. Carlos Villan Duran emphasized that the SSIRHL with the civil society is engaged in commune battle for peace and that the human right to peace should be incorporated as individual right, the right of groups and the right of peoples in the Luarca Declaration on the Human Right to Peace. He added that reality today divides the world on poor and rich part, and the human right to peace should be incorporated to the Declaration and available to all. Mr. Carlos Villan Duran, in conclusion stated the fact that Cuba expressed its preparation to get involved in the human right to peace and the Luarca Declaration on the Human Right to Peace, and the engagement of Cuba crucial because of its fundamental role in the Non-aligned movement.

Mr. Alfred L. Marder added to Mr. Villan Duran remarks, that the IAPMC is association who had two initiatives. One is the cooperation with the Non-aligned movement and another is in participation to promotion of the Luarca Declaration on the Human Right to Peace. He also stated the both of these activities were blocked initially, but General Assembly of the UN voted positive on these resolutions.

Ms Amira Krehic summarized first session, thanked the participants on their valuable contribution and remarks and closed the first session.

- ***Second session***

4.1 "The promotion of the human right to peace in post conflict society: challenges for achieving a sustainable peace"

Ms. Nejra Nuna Cengic at the beginning of her presentation recalled that sixty years after the adoption of main premises of the Universal Declaration of Human Rights, those premises for the great majority of people represent mere wish. She emphasized the fact that lot of people today live in the poverty, and some of them in extreme poverty without means to fulfill basic needs for surviving. Great number of countries live in the state of war and constant battle for surviving and achieving the peace.



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Ms. Nejra Nuna Cengic noted that the most important value in modern society is the human right to peace and it can be observed through different aspects. The question we should ask ourselves is in what way to apply all instruments of the Universal Declaration of Human Rights. The options are to reconsider modern concept of progress in relationship to new generation of the human rights and is that new generation of human rights represented by development of humanity or those are just corrective measures to the implementation of the already existing principles in the Universal Declaration of Human Rights. In her opinion the progress and development of the humanitarian law cannot offer the enlightenment and optimism. In relations to that, Ms Nejra Nuna Cengic had structured her presentation in three parts.

The first part, she emphasized, is a try to explain the current situation and how we got to the point to speak about achieving peace not just in Bosnia and Herzegovina but throughout the world as well. In the second part of the presentation, Ms. Nejra Nuna Cengic would offer overview of the human rights following the history of the codification of the human rights, some thoughts and explanations of why is so difficult to verify the human rights and other liberal values in Bosnia ad Herzegovina. Finally, the third part would be dedicated to the Luarca Declaration on the Human Right to Peace.

Through explaining first and second part of her presentation, Ms. Nejra Nuna Cengic, argument she offered, in relation to the approach to the human right to peace, was a suggestion to refer the human right to peace in a structural way to strive to maintain focus on the structural problems of the society that are present for centuries. The human rights have become visible throughout the human rights codification. She then referred to the patriarchal which caused the violence and transformation of the human relations closely linked to the human right to peace. She noted the need to create one document for the human right to peace, which would be the basis for the society changes and relations' changes as well.

Following the historical approach and development of the human rights since the Declaration of Human Rights of Man and Citizens in France till now, Ms. Nejra Nuna Cengic noted two ways of activities. One, she explained, is the struggle for equal presentation all people in the world and another is struggle for the equal exercise of human rights. Since the middle age, the movement of enlightenment had been the main promoter of the new phase which in the eighteenth century resulted with the recognition of not just the right to life and right to freedom as a key human rights, but also as well the right to the happiness. The right to the happiness referrers to the welfare of all people included in the document of human rights. Ms. Nejra Nuna Cengic further explained that three elements are crucial in the development of the human rights. According to her explanations, the first element is welfare that means the meeting of basic need such as food, accommodation. The second one is dignity referring to taking over ones life to a control, or having



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option of choice and the third is contentment, referring to accomplishment of own vision of the happiness. She also made comparison of these elements to three corresponding rules in the American Declaration of Independence, and those are the right to life, the right to freedom and the right to happiness. She emphasized that rules mentioned in the American Declaration of Independence and in the Declaration of Human Rights of Man and Citizens in France, illustrate the spirit of eighteenth century. She also stated the most of the right in both declarations were devoted to men and not to women and thus the half of the population was excluded from exercising rights of those documents. The development of human rights in eighteenth century was based on the ideological foundations, and that was aimed to achieve revolution, to make a disconnection to the old regimes and to establish rights that would be functional in new system. Furthermore that process was liberal in many ways, but it also maintained some ancient and middle age concepts referring mostly to the gender issues, meaning that the women were submitted to the same or similar treatment like in the middle age. She added that in the period of new declarations and development of rights, excluding of women becomes the product of freedom.

In further explanation of human rights trough history, Ms. Nejra Nuna Cengic aside of Universal Declaration of Human Rights mentioned the importance of the International Covenant of Civil and Political Rights and International Covenant of Economic, Social and Cultural Rights. Despite the fact that most of the countries have adopted these covenants but still the unequal enjoyment of the rights incorporated in pacts is present. The main cause for such situation, in her opinion is the fact that societies have not changed theirs structures and in the fact that societies still support subjections of certain people, separation and differences. Although the women formally gained same rights as men, within the social relationships there where no liberty for them to actually enjoy obtained rights. This described scheme is incorporated in number of societies, and as such is origin of many clashes. The relationships between men and women are not the core of war, but relationships among men are the cause, and in that process of war the women just represent instrumentality to affirm the antagonism towards other men. She also added that in modern societies and in their functioning, masculinities are the crucial in mobilizing people in war.

In continuation, Ms. Nejra Nuna Cengic addressed the issues of increscent of violence, racial discrimination, and extreme poverty all caused by injustice in the societies and unequal distribution of power and wealth. Therefore, there is obvious need to establish new instruments for the human rights, which are based on the previously mentioned issues. She also emphasized the significance of the Convention on the Elimination of All Forms of Rational Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women.



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She recalled that societies within creating democratic background are facing new problems and issues. Increasing globalizations is setting the new challenges and migrations, developing of technology and the important question is in which measure the state can be the subject of instruments for human rights. She also explained that the frame of human rights is on the increase to fulfill the need of modern society, but with that also the number of conflicts increases.

Ms. Nejra Nuna Cengic then passed on the second part of her presentation, regarding situation in Bosnia and Herzegovina, infringements of the human rights during the war and the infringements in post-war period. She explained that within the global crisis in the area of human rights, Bosnia and Herzegovina is on its path toward the democracy. Implementation of formal democracy in a country without democratic history, where the nation is related to the ethnic belonging and not to the state, generated violent conflicts in Bosnia and Herzegovina. She also mentioned that war caused 100 000 murdered people, 2 million people internally and externally displaced, great number of families had lost their members, enormous material loses and horrifying impact on the economy of country which all formally ended with the Dayton Peace Agreement after which peace was established. Ms. Nejra Nuna Cengic than stated that for the most of the population of Bosnia and Herzegovina the Dayton Peace Agreement which consist the Constitution of Bosnia and Herzegovina as well, is the main obstacle for progress of the country and its politics.

She further explained that some of the reasons that brought to the infringements of the human right in the war and post-war period are: the fact that democracy discredited it self in Bosnia and Herzegovina, international politics toward Bosnia and Herzegovina and the impact of life in socialistic regime. Democracy had negative connotation for lots of people of Bosnia and Herzegovina because its implementation stared after failure of socialistic regime and before beginning of war. In that sense, she continued, democracy had discredited it self without having a chances to be confirmed, that also can refer to the liberal values as well.

She also stated that the post-war effect for many people where very difficult and in that time new democratic period had negative image for great number of the population, and from that point of view, the life in former system was better for some. In relation to that, she stresses the importance of two key moments. One is that historical revision, throughout official discourse has discredited socialistic past, she explained that that could be presented as a denial of own history. The other issue she stressed, was the fact that social system, tough non-democratic, has assured very good protection of social and economic rights, which was not the case with current system. She as well addressed the issue of international politics towards Bosnia and Herzegovina stressing the negative principles of the involvement of international community, especially European Union. She stated



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that for people of Bosnia and Herzegovina is very hard to believe in the human rights when they were in the crucial moments abandoned by international community and whole humanity and therefore is not easy for them to restore faith in humanity. Ms. Nejra Nuna Cengic then closed the second part of her presentation by noting that most of the infringements of human right are related to racial hatred, ethnical discrimination, discrimination of women, discrimination in relation set of economic, social, cultural rights which are deeply rooted in patriarchal and gender issues, and all of that generated the social problems in Bosnia and Herzegovina.

Ms. Nejra Nuna Cengic then paid the attention to the third part of her presentation regarding the Luarca Declaration on the Human Right to Peace. She emphasized that her analysis would be more general unlike her colleague Ms. Gorana Mlinarevic who offered specific remarks. She recalled that the state of war led to a need to discuss the issue of the human right to peace. Ms. Nejra Nuna Cengic raised the question regarding if the human right to peace is something that should be observed in the context of war or peace.

She also stated that her intention is not to deny war, but she founded that the Luarca Declaration on the Human Right to Peace should refer primarily to the human right to peace, to avoiding the war and to activities directed in maintaining the peace. She stressed another important remark, regarding the individual choice in the war. In her opinion, the choice existed but it is very restricted in terms that was difficult for people in period of war to decide whether to stay, to go, how to behave, because they options were extremely limited. She founded that the Luarca Declaration on the Human Right to Peace have not consider limitations of individual choice in appropriate measure. The war taken in account it the Luarca Declaration on the Human Right to Peace is in her opinion more classical, but most of the wars nowadays are so called " new wars" and the outcomes are civilian victims, and this can also be related to the limitation of the individual choice during war.

Ms. Nejra Nuna Cengic then suggested that the focus of the Luarca Declaration should be aimed at education people about the human rights, particularly to stimulate the education that would structure new social relations, which would not be based on patriarchal discourse. Of course, she underlined the fact that the transformation process would take years but the Luarca Declaration and the human right to peace are launching point in commencement of the process.

4.2. Debate on the second session



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Ms. Amira Krehic thanked Ms. Nejra Nuna Cengic on her presentation and her perspective on the Luarca Declaration on the Human Right to Peace and opened the floor to questions and remarks.

Mr. Radoslav Marjanovic addressed the participants with several comments, stating that both, the war and peace are the consequences but we never manage to deal with causes. He added in relation to this that whole world had materialistic dimension and there is no spiritual dimension that is more valuable. Undisputable fact is, he noted, that Bosnia and Herzegovina had the conflicts and therefore, the people of Bosnia and Herzegovina have a right to discuss certain issues as a multicultural country and that is a good example to the world. He also reminded, that Bosnia and Herzegovina as a part of Yugoslavia participated in the Non-alignment movement and the president of Yugoslavia also took a part in participation of creating balance and new economic order. Finally, he congratulated to Ms. Milanrevic and Ms. Cengic in their valuable contribution to the Declaration, and the adopting of this Declaration that was drafted by SSIHRL is a very significant step towards achieving final Declaration.

Ms. Nejra Nuna Cengic made a comment about remarks of Mr. Radoslav Marjanovic about the war and its consequences and causes. The overview of the history of the codification of human right in her presentation had an aim to represent in her opinion some of the causes and explaining the origin of war such as hunger, poverty and inability to fulfill the basic needs. She also emphasizes the significance of instruments followed after the Universal Declaration of Human Rights, such as Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women. In addition, she proposed to focus more on the contents of these declarations in order to promote the Luarca Declaration on the Human Right to Peace.

Ms. Amira Krehic thanked Ms. Nejra Nuna Cengic and gave the word to Mr. Carlos Villan Duran.

Mr. Carlos Villan Duran also thanked Ms. Nejra Nuna Cengic for her helpful contribution and raised issues. Referring to her remarks, he recalled that the main aim is to raise the conscience about the peace as a human right and to achieve certain reactions to international crises in society that have begun by terrorist attacks in 11 September 2001 in New York and in Washington. That also meant beginning of the war initiated by the president Bush and his administration and supported by other countries, including Spain. Mr. Carlos Villan Duran stated that now is a good time to make a balance and to use the analysis of the result of the war against terror. In his opinion, the results are negative and the conflicts are elevated, furthermore the war between the religions is raised as well. He emphasized, that situation is generated by administration of president Bush, and



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results are violations of human rights and main principles of human rights and that is something that is the fact but it cannot be allowed. He added that human being couldn't be tortured and that person accused for terrorist activities have to have the right to the fair trial. Regarding to that, Mr. Carlos Villan Duran added that the violations of human rights are unfortunately the part of inheritance of the second part of twentieth century. To ensure better inheritance and respect of human rights, the society had to face the changes and the new mechanism for the human rights need to be adopted. In relations to peace, he added, peace has ethical, moral, political and legal aspect and particularly referring to violations of human rights and violations of the right of women facing discrimination in exercising human rights.

In continuation, Mr. Carlos Villan Duran recalled that the shift of American administration and arrival of the president Obama is a hope to for changes, but that requires time and therefore, the ambassador in Geneva needs to initiate new perspective of human rights. Also very important task is to establish responsibilities of those who violated human rights in USA and in Bosnia and Herzegovina as well. In addressing the issue of reconciliation, Mr. Carlos Villan Duran highlighted the importance of civil reconciliation on both international and national level. In order to achieve the truth, the Commission for truth needs to be set up to establish the truth. After accepting the truth, significant is to address the justice and to punish perpetrators for what they have done. He reminded, emphasizing the value of this issue for Bosnia and Herzegovina, that justice means reparation for victims (article 12) the Luarca Declaration), and it can be individual and collective as well.

Mr. Carlos Villan Duran, recalled that the Luarca Declaration on the Human Right to Peace is just a beginning point and it is not the only purpose of the peace camping, and he emphasized that the alternative Declaration is being made to fulfill all the expectations including expectations of this region, so every different perspective could be incorporated in new declaration. He also added, responding the question of Ms. Cengic, that the Luarca Declaration on the Human Right to Peace integrates humanitarian law and the human rights as well, and addressed to all causes that affect disturbance of peace. Observing the issue of violence, Mr. Carlos Villan Duran, once again stated, that violence has its origin in number of reasons such are economic, social and ideological. Number of various reasons led to the war in Former Yugoslavia and for that there are lots of explanations of what caused the aggression in Bosnia and Herzegovina. One of them is the idea of Great Serbia to become bigger State, that generated aggression towards other parts of Yugoslavia and that led to a war, and caused the enormous violations of human rights.

In referring to the question of Ms. Cengic if peace was something focused to international humanitarian law, Mr. Carlos Villan Duran responded that he



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believed that the focus should not be narrow and strict. He underlined that the experience from this region brought as some knowledge of how everything is closely connected so that the violation of human rights represents violations of humanitarian law as well. The act of aggression, ethnic cleansing, systematic raping of women needs to be addressed in appropriate way to achieve justice, reparations and reconciliation with final aim to build a new society based on culture of peace, human rights equal for all no matter gender or ethnic origin. That is extremely difficult, he added, but that is only alternative. In that sense important is to strengthen the human right to peace, which would help in achieving higher level of other human rights such as civil rights, political rights, right to disarmament, right to development, right to sustainable natural environment and others. Mr. Carlos Villan Duran recalled the article 2 of the Luarca Declaration on the Human Right to Peace and noted that is very significant to achieve culture of peace and education about the human right to peace which would help to encourage social processes and promote new order where the peaceful settlement of the conflict would be possible as well as solidarity and mutual respect. He added that the part of education should be education on the human right to peace that is hard and long termed process.

Mr. Carlos Villan Duran also refers the issue of increasing number of war and causes of war that mainly in current societies have economic natures. Wars are generated by the control of basic products in the countries of the Third World such as oil, gas minerals and gold. He emphasized the fact that those reasons led the Bush administration to start the war in Iraq in order for American oil company to have all benefits, but he added that situation would not last for long, because until 2050 the resources of the oil would disappear and meanwhile the environment would endure devastating consequences, therefore the need to reconsider the alternative resources of energy arose. One of the occupations of society should be to deal with new resources of energy necessary for development. He also state the geographical purposes define politics of the counters, both short-term and long-termed, but there is still no adequate solution.

Finally, Mr. Carlos Villan Duran stated that leaders of the countries are occupied with the winning on the elections, but they should have more serious occupations in relation to address the bigger problems of societies like the development of peace. He thanked the participants on their attention and stated that he hoped the he had succeeded in his attempt to explain the reasons why are declarations of human rights and the Luarca Declaration on the Human Right to Peace important for civil society.

Mr. Alfred L. Marder joined the discussion, referring to the remarks of Ms. Nejra Nuna Cengic's overview of history of the human rights and Constitution of the USA and the American Declaration of Independence, altered by same people. In those documents, the Afro-American people where treated as two thirds of person.



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He further explained, that that period is in one hand the period of development and enlightened in area of culture, vision of a new society and human rights and in the other hand at the same time, the legacy of slavery was present. Mr. Marder agreed with the approach taken by Ms. Nejra Nuna Cengic's idea to show the progress of human rights throughout history, the obstacle that people had to prevail in establishment of the human right and the aspect of violations of human rights. He also highlighted the fact the Declaration of Human Rights made a significant progress in area of human rights protection after World War II, but things have changed during the cold war.

In continuation, Mr. Alfred L. Marder emphasized, although he had different opinion about causes of war and tragedy in Balkan, that the main task is it to actively apply concept of peace and try to deal with its establishment. As an example for this he explained pattern accepted in the South African Republic, where America played important role as well in Balkan. He also recalled that he heard various explanations about what caused the war in Bosnia and Herzegovina, but he also emphasized that those explanation are too simple for him to accept them, and that historians need more time to gather the facts and to offer more perusable explanations. He observed that the role of the Luarca Declaration on the Human Right to Peace and peace campaign is vital and that time has come to apply the human right to peace. Mr. Marder stated that his organization has existed for 60 years, and that they started promoting human rights long time ago and they were initiators of international peace campaign. He also underlined, that the reason to encourage campaign in USA is that Declaration of the Human Rights become undermined by State Department and become Declaration in constricted sense.

Finally, Mr. Alfred L. Marder, once again observed the significance of the human right to peace and the Luarca Declaration on the Human Right to Peace is continuation of the Universal Declaration of the Human Rights, and it is a new improved level in history of mankind.

Ms. Gorana Milanrevic commented the issue of international responsibility, that the debate on the international responsibility is not here important and should not be referred, however the key thing is to find the perpetrators and to punish them for the committed crimes in front of tribunals. She also stated the comments regarding articles 10, 5 and 6 of the Luarca Declaration on the Human Right to Peace. In mentioning the article 10 and transitional justice, she suggested need to create the unique solution for the reconciliation. Regarding the justice and truth, Ms. Mlinarevic emphasized that these issues shouldn't be just the topics of the debate; they should have a support from the greater masses in achieving the right solution. Also she underlined that the solution of transitional justice can not be universal, and if solution is applicable to for example for South African Republic, it does not have to be appropriate for some other country or Bosnia and Herzegovina.



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In conclusion. Ms. Gorana Mlianrevec, supported opinion of her colleague Ms. Nejra Nuna Cengic, and stated that referring to the article 5 (Right to disobedience and conscientious objection) and regarding article 6 (Right to resist and oppose cruelty) and stated that it is important to consider how much individual is restricted and limited to oppose and resist cruelty. In war period this issue in her opinion becomes very complex problem.

Mr. David Fernandez Puyana observed that transitional justice is very vital for Bosnia and Herzegovina, and he agreed with Ms. Gorana Mlianrevec's statement emphasizing the need to create unique solution of reconciliation to achieve the justice, truth and reparation.

▪ ***Discussion of the Sarajevo Declaration***

Ms. Amira Krehic introduced the draft final documents recalling that participants could consider it.

Ms. Lajla Zaimovic, from ACIPS on the behalf of Mr. Sanel Huskic the president of the ACIPS, gave a suggestion for the Sarajevo Declaration to circulate next ten or seven days in order to gather more comments and feedbacks on the declaration in order to adopt it.

M. Carlos Villan Duran thanked Ms. Zaimovic on her suggestion and explained that the Sarajevo Declaration would be a part of the declaration already adopted in four different regions in world: Argentina, Cameroon, Bangkok and South Africa. He noted that at the end of expert meeting, like this one, participants of the meeting have reached an agreement to support the basic purposes of Declaration and to support SSIHR in the campaign in the human right to peace that would finally result with International Congress in 2010.

Further, in expelling situation Mr. Carlos Villan Duran stated the article VIII the Declaration of Sarajevo on the Human Right to Peace as followed:

VIII. We particularly welcome Human Rights Council resolution 11/4, adopted on 17 June 2009 and its Advisory Committee recommendation 3/5, adopted on 7 August 2009, by which they requested the UN High Commissioner for Human Rights to organize an **expert workshop on the right of people to peace** before February 2010. We therefore invite all international actors to fully participate at ***the expert workshop***.

IX. We agree to adopt the following additional measures:

1. To enact the "Declaration of Sarajevo on the Human Right to Peace";



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2. To invite any person or entity and any international actor who may agree with its contents, to adhere to it;
3. To submit the Declaration of Sarajevo to the President of the General Assembly and the Secretary-General of the United Nations as outlined in paragraph VII *supra*;
4. To make efforts to ensure that the Declaration of Sarajevo be disseminated to civil society, academic, governmental, intergovernmental, national and international organisations; and
5. To appeal all international actors and people of goodwill in favour of the international codification of human right to peace to join the **World Alliance on the Human Right to Peace**, as launched by SSIHRL in www.aedidh.org.

In continuation, Mr. Carlos Villan Duran after stating the listed articles and paragraphs, explained the purpose of the Sarajevo Declaration on the Human Right to Peace and invited civil society to adopt this Declaration in order to join the campaign for the human right to peace. The adoption of the Sarajevo Declaration on the Human Right to Peace meant the support of the initiative for the human right to peace.

He offered a suggestion for the participants present, to adopt the draft of the Sarajevo Declaration on the Human Right to Peace, to make it available in official languages of Bosnia and Herzegovina and to distribute it to the all actors of civil society.

On the suggestion of **Mr. Carlos Villan Duran, Ms. Amira Krehic** proposed the adoption of Declaration by consensus on which the participants after shorter dissuasion agreed upon. In conclusion, Ms. Amira Krehic accepted the proposal made by ACIPS to translate the Sarajevo Declaration on the Human Right to Peace, in official languages of Bosnia and Herzegovina, Bosnian, Croatian and Serbian and to disseminate it to civil society, academic, governmental, intergovernmental, national and international organisations. Closing the discussion on the Sarajevo Declaration on the Human Right to Peace, Ms. Amira Krehic thanked to all participant and speakers on their contribution.

- **Closure**

Mr. Carlos Villan Duran thanked Ms. Amira Krehic on her presiding the Balkan regional expert meeting and he expressed his deep gratitude to Mr. Alfred L.



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Marder and his organization in participation and he expressed hope for further collaboration. He also thanked to all organizations that participated in the meeting, particularly to the ACPIS who had shown great involvement and interest in participation.

Also, Mr. Carlos Villan Duran thanked to the speaker of the meeting in their valuable contribution and participation that was an important part of this meeting.

Finally, he thanked all other participants and observers and used opportunity to invite them to have belief and to support struggle for the human right to peace in the campaign for peace, through the Luarca Declaration on the Human Right to Peace and the Sarajevo Declaration on the Human Right to Peace.

7. Evaluation

Participants present filled out evaluation forms regarding the meeting.

All participants considered as either good or very good: the methodology employed; reading material; relevance of presentations; academic achievement; and facilities offered for personal participation.

Additionally though 80 percent of participants considered the overall organization to be very good or good recommendations made under this section included: being informed with more advanced notice of such meetings, and of experts' contributions, so as to be able to better prepare for the meeting; inviting and ensuring the attendance of a greater number of actors.

Regarding clarity, some 70 percent of participants also considered that greater clarification regarding definitions in the Luarca Declaration would be welcome.

Other recommendations made were that: the Sarajevo Declaration be distributed so that it could be shared with colleagues; participants include persons not only from Bosnia but also from the whole region.



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Annex I

PROGRAMME

30 October 2009

Parliament of Bosnia and Herzegovina
Sarajevo

OPENING SESSION ON THE EXPERT MEETING

09.00-10.00

- Ms. Amira Krehic, Office of the Human Rights Ombudsperson of Bosnia and Herzegovina
- Mr. Alfred L. Marder, President of the IAPMC
- Mr. Sanel Huskic, Director of the ACIPS
- Mr. Carlos Villan Duran, President of the SSIHRL

10.00-10.30

Coffee break

10.30-12.00

FIRST SESSION

Introduction to the Luarca Declaration on the Human Right to Peace

1. Moderator: Ms. Amira Krehic, Office of the Human Rights Ombudsperson of Bosnia and Herzegovina
2. Speaker: Mr. Carlos Villan Duran, President of the SSIHRL: *The Luarca Declaration on the Human Right to Peace and the World Campaign for the Human Rights to Peace*
3. Speaker: Ms Gorana Mlinarevic, Lecturer of the National University in Ireland (Galway) and academic tutor of the University of Sarajevo: *The Luarca Declaration on the Human Right to Peace as a tool to promote peace and dialogue in the Balkan*



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| | <i>region</i> | |
| 12.00-13.00 | | Discussion |
| 13.00-14.00 | Lunch break | |
| SECOND SESSION | | |
| Strengths and weakness of the Luarca Declaration to consolidate sustainable peace in Balkan region | | |
| 14.00-14.30 | | <ol style="list-style-type: none"> 1. Moderator: Ms. Amira Krehic, Office of the Human Rights Ombudsperson of Bosnia and Herzegovina 2. Speaker: Ms. Nejra Nuna Cengic, coordinator of MA in Gender Studies at the Center for Interdisciplinary Postgraduate Studies of the University of Sarajevo made a presentation called: <i>"The promotion of the human right to peace in post conflict society: challenges for achieving a sustainable peace"</i> |
| 14.30-15.30 | | <i>Discussion</i> |
| 15.30-16.30 | | Conclusions and recommendations |
| CLOSING OF THE MEETING | | |
| 16.30-17.15 | | Declaration of Sarajevo Evaluation |



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Annex II

List of Participants and Observers

| Name | ORGANISATION |
|--------------------------------|----------------------------------------------------------------------------------------|
| 1. Ms. Nina Stevanovic | Transparency International BiH |
| 2. Ms. Amra Mehmedic | The Prosecutor's Office of Federation of Bosnia and Herzegovina |
| 3. Suzana Bozic | Caritas International |
| 4. Ms. Inmaculada Perez Rocha | Spanish Agency for International Cooperation. Embassy of Spain in BiH, Spanish Embassy |
| 5. Ms. Jasmin Jahjaefendic | Association of Judges of Bosnia and Herzegovina |
| 6. Ms. Inmaculada Perez Rocha | Spanish Agency for International Cooperation |
| 7. Ms. Gordana Suvalija | Delegation of the European Commission to Bosnia and Herzegovina |
| 8. Mr. Fermin Cordoba | OSCE Mission to Bosnia and Herzegovina, Department for Human Rights |
| 9. Mr. Adnana M. Camdzic | Fondation Mozaik |
| 10. Ms. Diana Sehic | Rights for all |
| 11. Mr. Ermin Korda | Legal Aid Network, Vasa Prava, Mostar |
| 12. Mr. Sanel Huskic | ACIPS |
| 13. Ms. Lajla Zaimovic | ACIPS |
| 14. Ms. Medina Seta | ACIPS |
| 15. Ms. Aida Spahic | Interpreter |
| 16. Ms. Bjanka Osmanovic | Interpreter |
| 17. Mr. Radoslav Marjanovic | Centre for Education of Judges and Prosecutors of Federation of Bosnia and Herzegovina |
| 18. Ms. Ljuljeta Goranci Brkic | Nansen Dialogue Centre Sarajevo |
| 19. Mr. Andrei Pietrasik | Mayor of Plonsk, Poland |
| 20. Mr. Alfred L. Marder | President, IAPMC, USA |
| 21. Dusan Stojanovic | Secretary General, IAPMC, Eslovenia |



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| Name | ORGANISATION |
|--------------------------------|----------------------------------------------------------------------|
| 22. Ms. Mirsad Pandzic | Bosnian Helsinki Committee for Human Rights |
| 23. Ms Milos Nikolic | IAPMC delegate, Serbia |
| 24. Ms. Liliana Jovovic | IAPMC delegate, Montenegro |
| 25. Mr. Milos Nokolic | IAPMC delegate, Kragujevac, Serbia |
| 26. Mr. David Fernandez Puyana | Representative, AEDIDH and UNESCO Etxea, Geneva |
| 27. Mr. Carlos Villan Duran | President, AEDIDH |
| 28. Ms. Amira Krehic | Office of the Human Rights Ombudsperson of Bosnia and Herzegovina |
| 29. Lejla Sadikovic | Office of the Human Rights Ombudsperson of Bosnia and Herzegovina |
| 30. Gorana Mlinarevic | CIPS |
| 31. Nejra Cengic | CIPS |



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Annex III

DECLARATION OF SARAJEVO ON THE HUMAN RIGHT TO PEACE

Noting that participants of the expert regional meeting on the human right to peace are gathered at the Parliament of Bosnia and Herzegovina, Sarajevo, on 30 October 2009 and that the venue has been organised by International Association of Peace Messenger Association (IAPMC), Association Alumni of the Center for Interdisciplinary Postgraduate Studies, UNESCO Etxea and the Spanish Society for International Human Rights Law (SSIHRL) with the support of the Human Rights Ombudsperson of Bosnia and Herzegovina and the sponsorship of the Regional Government of Catalonia (Office on the Promotion of Peace and Human Rights and Catalan Agency for Development Cooperation),

Recognizing the progress made by doctrine, international instruments and institutions with the impulse of the international civil society in its desire to move towards the necessary codification of the human right to peace at the international level,

Stressing, in this context, the work performed by the SSIHRL since the adoption of the Luarca Declaration on the Human Right to Peace (30 October 2006), as well as its leading role in the Global Campaign on the Human Right to Peace (2007-2010), supported by two hundred NGOs around the world,

Acknowledging resolution 406/VIII of the Parliament of Catalonia adopted by the Committee on Cooperation and Solidarity on 26 February 2009, and the declaration adopted on 9 October 2009 by the regional Parliament of the Principality of Asturias by which it adhered to the Luarca Declaration on the Human Right to Peace and fully supported its contents, including the Preamble, Part I (Elements of the Human Right to Peace) and Part II (Implementation of the Declaration)

Recognizing the agreements reached by the City Councils of Taramundi, Caso and Valdes (Asturias) during 2009, by which they adhered to the Luarca Declaration on the Human Right to Peace and the Global Campaign on the Human Right to Peace led by the SSIHRL



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Noting the regional conferences and expert meetings which have already been held in Geneva (World Conference of NGOs for the Reform of International Institutions, November 2006), Mexico (December 2006), Bogota, Barcelona and Addis Ababa, Ethiopia (2007), Caracas and Santo Domingo (2007), Morelia (Mexico), Bogota, Oviedo, and Santa Fe (New Mexico, United States) (2007), Washington, Nairobi, Kenya and Geneva (June 2007), Feldkirch, Austria (August 2007), Geneva (11, 12 and September 21, 2007), Luarca (September 28, 2007), Madrid (October 23, 2007), Monterrey (1 November 2007), Mexico City, Geneva, Las Palmas of Canary Island, Zaragoza and Navia, Asturias (2007), during the session of the Commission on the Status of Women of the UN, New York (February 2008) Parliament of Catalonia, Barcelona, Geneva, Dakar, Madrid, Valencia (April 2008), Rome and Gwangju, Republic of Korea (May 2008), Bilbao and Geneva (June 2008), Geneva and Cartagena (July 2008), Paris, Toledo, Geneva, Zaragoza, Montevideo and (September 2008), Oviedo, Alcalá, Turin, New York-Vitoria and Basque Parliament (October 2008), La Plata and Buenos Aires, Argentina, and Bosco Marengo, Italy (November 2008), Luxembourg, Geneva and Barcelona (December 2008), Geneva and Barcelona (January 2009), Yaounde, Cameroon (February 2009), Geneva and New York (March 2009), Johannesburg, Seville, Madrid, Santiago de Compostela and Bangkok (April 2009), Trevi, Italy, Mexico and Seville (May 2009), Geneva (June 2009), City of Mexico and Morelia (July 2009), Donostia-San Sebastian (August 2009), Geneva and Valdés (September 2009), Caso, Cangas de Onís and Alcalá de Henares (October 2009)

Acknowledging the adoption of the regional Declarations on the Human Right to Peace of La Plata (Argentina, November 2008), Yaounde (Cameroon, February 2009), Bangkok (Thailand, April 2009) and Johannesburg (South Africa, April 2009) by experts of the international civil society

As a result of our discussions and agreements we adopt the following Declaration:

I. The human right to peace should be considered by the international community as an integral part of human rights and fundamental freedoms of all women and men. The human right to peace has a holistic approach, as well as an individual and collective dimension.

II. The respect and guarantee of the full enjoyment of the human right to peace is a fundamental prerequisite for the exercise of other human rights, such as civil, economic, political, cultural and social rights, as well as the right to development.

III. The right to truth, reparation and justice is a component of the human right to peace, in the context of the Luarca Declaration on the Human Right to Peace. In particular, victims of human rights and international humanitarian law violations, have the right to obtain redress through the right to an effective remedy, guarantees against non-repetition, satisfaction and reparation.



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IV. We fully support the Luarca Declaration on the Human Right to Peace, adopted on 30 October 2006 by a drafting committee composed of independent experts in the town of Luarca (Asturias, Spain).

V. We recognise that the Luarca Declaration is to be enriched by contributions from numerous regional expert meetings aiming at taking into account cultural sensitivities of all regions. The outcome universal declaration on the human right to peace should be compatible with the concept of unrestricted universality, interdependence, indivisibility and inalienability of all human rights recognized by international instruments. Furthermore, gender perspective and human rights of women are indispensable to the hermeneutic task of the Luarca Declaration.

VI. We support the SSIHRL in its launching of the **World Peace Conference** of civil society, to be held on 9-10 December 2010 during the World Social Forum on the Education to Peace ("2010 Forum") in Santiago de Compostela (Spain). The World Peace Conference will be invited to discuss and adopt the final draft Declaration on the Human Right to Peace that should satisfy the expectations of the international civil society as a whole.

VII. We also urge the General Assembly of the United Nations to take note of the efforts made by international civil society, and to instruct its Human Rights Council to start as soon as possible the process of the official codification of the human right to peace, that should conclude with the adoption by the General Assembly of the Universal Declaration on the Human Right to Peace.

VIII. We particularly welcome Human Rights Council resolution 11/4, adopted on 17 June 2009 and its Advisory Committee recommendation 3/5, adopted on 7 August 2009, by which they requested the UN High Commissioner for Human Rights to organize an **expert workshop on the right of people to peace** before February 2010. We therefore invite all international actors to fully participate at **the expert workshop**.

IX. We agree to adopt the following additional measures:

1. To enact the "Declaration of Sarajevo on the Human Right to Peace";
2. To invite any person or entity and any international actor who may agree with its contents, to adhere to it;
3. To submit the Declaration of Sarajevo to the President of the General Assembly and the Secretary-General of the United Nations as outlined in paragraph VII *supra*;



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4. To make efforts to ensure that the Declaration of Sarajevo be disseminated to civil society, academic, governmental, intergovernmental, national and international organisations; and

5. To appeal all international actors and people of goodwill in favour of the international codification of human right to peace to join the **World Alliance on the Human Right to Peace**, as launched by SSIHRL in www.aedidh.org

Sarajevo, 30 October 2009