



In special consultative status with the United Nations

GENEVA PEACE WEEK
EXPERT MEETING ON THE HUMAN RIGHT TO PEACE
Geneva, Palais des Nations, Room XIV, 11 November 2016

Oral statement by Carlos Villán Durán, President of SSIHRL.

Thank you, Madame Chair-person, for giving to me the floor.

I have the pleasure of delivering the following statement on behalf of 474 world-wide CSO, signatories of the *Santiago Declaration on the Human Right to Peace*, as revised on 4 March 2016.

You may remember that on 1st July 2016, the Human Rights Council adopted resolution 32/28, approving the attached Declaration on the Right to Peace and recommending it for final approval to the General Assembly. The General Assembly is expected to take a final decision on this matter in December 2016.

The draft resolution had been presented by Cuba and the annexed Declaration followed closely the text submitted one year ago by the Chairman-Rapporteur of the Working Group on the Right to Peace, Ambassador Christian Guillermet (Costa Rica). At that time it was argued that his text enjoyed consensus among the States. However, the resolution was adopted by a divided vote of 34 votes in favor, 9 against and 4 abstentions.

We were aware that consensus was impossible on this matter since there is a minority of developed States, led by the United States and some European Union Member States that refuse to accept the existence of the human right to peace, without providing any further explanation. Instead, the vast majority of UN Member States from all geographic regions of the world are in favor of the recognition of the human right to peace, in line with the international civil society.

On behalf of hundreds of civil society organizations, we opposed the adoption of this resolution because the Declaration annexed thereto was clearly insufficient. Indeed, it did not recognize the human right to peace neither its essential components.

In fact, the operative part of this Declaration was reduced to two substantive Articles, as follows:

Article 1 stated that “Everyone has the right to enjoy peace such that all human rights are promoted and protected and development is fully realized”.

And Article 2 stated that “States should respect, implement and promote equality and non-discrimination, justice and the rule of law and guarantee freedom from fear and want as a means to build peace within and between societies”.

In preparation of the current General Assembly session, we called on all interested Governments, International Organizations and CSO to actively reiterate their support to the

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international codification and progressive development of the human right to peace. The recognition of this right has dramatically become a matter of great urgency in a world dominated by an unbridled arms race. Armed conflicts are increasing in number and importance. Mass exoduses of war victims and migrants, particularly women and children, reached unprecedented figures since the end of World War II.

The response of the international community has been disappointed. The body trusted by the UN Charter to keep with international peace and security, the Security Council, remains virtually paralysed by the veto right held by its five permanent members. As a result, we are extremely concerned by the widespread impunity of those responsible for international crimes, as well as massive violations of international human rights law and international humanitarian law.

As far as world peace is eroded, international civil society claims that peace be at the centre for action by all decision makers. Over the past six years, the SSIHRL has put forward the *Santiago Declaration on the Human Right to Peace*, adopted on 10 December 2010 by the international civil society. It received the support from more than 2,000 civil society organisations, cities and public institutions worldwide. It has also greatly inspired the work of the Advisory Committee since its Declaration on the Right to Peace, adopted on 16 April 2012, had accepted 85% of the standards foreseen by *Santiago Declaration*.

The *Santiago Declaration on the Human Right to Peace* was updated on 4 March 2016, having received the signature of 474 worldwide civil society organizations. This Declaration was submitted in October 2016 to all Member States of the General Assembly and its Third Committee, requesting them to take it duly into account.

In particular, the Preamble of the *Santiago Declaration* spells out the legal foundations of the right to peace in international human rights law.

- Art. 1 recognizes as right-holders individuals, groups, peoples, minorities and humankind.
- Art. 2 address the constitutive elements of the human right to peace, as stipulated in the UN Charter and relevant human rights treaties.
- Art. 3 is dealing with the States' obligations as the principal duty-bearers of the human right to peace. States shall refrain from the use or the threat of use of force in international relations; and from imposing unilateral sanctions. In addition, States shall strengthen the three foundation pillars of the UN in the fields of international peace and security, human rights and development. Moreover, States should facilitate the contribution of women to the peaceful settlement of disputes and the maintenance of peace after conflicts, suppress propaganda of war, respect the right of peoples to self-determination and reform the Security Council to ensure compliance with its obligations under the UN Charter.

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- Art. 4 recognizes the right to disarmament as an essential component of the human right to peace. Resources released from disarmament shall be devoted to the promotion of human rights and the realization of the rights to development and to environment.
- Art. 5 raises the right to education on peace and human rights within the framework of the Declaration and Programme of Action on a Culture of Peace and Dialogue among Cultures. Cultural violence and discrimination against women must be eliminated.
- Art. 6 stresses the right to human security, including freedom from fear and freedom from want. Freedom from want requires enjoying sustainable development and economic, social and cultural rights.
- Art. 7 deals with the right to resist and oppose oppression from colonialism, foreign occupation, domestic oppression, aggression, genocide, racism, apartheid, war crimes and crimes against humanity. Private military and security companies, as well as UN peacekeepers, shall be accountable for violation of human rights. Victims have the right to know the truth, to obtain redress, justice, reparation and to guarantees of non-recurrence. Refugees shall enjoy refugee status. And migrants should enjoy human rights without discrimination.
- Art. 8 address the rights to development and to environment as essential components of the human right to peace. And,
- Art. 9 requests the HR Council to monitor progress in the implementation of the Declaration. To this purpose, a Special Rapporteur on the Human Right to Peace shall be appointed.

We, therefore, invite Member States of the General Assembly to take into consideration the *Santiago Declaration* which represents the genuine aims of CSO, as well as the Declaration on the Right to Peace adopted by the Advisory Committee in 2012. CSO are also invited to join the *Santiago Declaration*.

On the contrary, we invite Member States to disregard the Declaration adopted by the HR Council on 1st July 2016.

Finally, the SSIHRL thanks all panellists and participants in the Expert Meeting for their support, to the Chair for her leadership, and to Ms. Alba Bescós and Ms. Lucía Martínez for their organizational skills and commitment to ensure the success of this Meeting.

Many thanks for your attention.