

United Nations Human Rights Council 35th Session

Expert Meeting

The Human Right to Peace

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The Elements of the Human Right to Peace

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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 updated on 4 March 2016.

As you may recall, the General Assembly adopted on 19 December 2016 resolution 71/189, by which it endorsed the Declaration on the Right to Peace that was recommended by the Human Rights Council in its resolution 32/28 of 1st July 2016, Annex.

By this way the General Assembly concluded six years of preparatory work, which was initiated by the Human Rights Council in 2010, at the request of hundreds of civil society organizations led by SSIHRL, which drafted the *Santiago Declaration on the Human Right to Peace* of 10 December 2010.

The HR Council's **Advisory Committee** (composed by 18 independent experts) also adopted on 16 April 2012 its Declaration on the Right to Peace, after two years of intensive work in close co-operation with civil society organizations. This Declaration accepted 85 per cent of the standards proposed by the *Santiago Declaration*.

The Declaration on the Right to Peace finally approved by the General Assembly is composed of a large preambular part and a short operative part. 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". Article 2 provided 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".

However, the Declaration failed to recognize the human right to peace and its essential components, as requested by more than 2000 civil society organizations, cities and public institutions world-wide that supported the *Santiago Declaration on the Human Right to Peace* of 2010. It was updated on 4 March 2016 and supported again by 474 CSO.

Full recognition of the human right to peace 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 terrorism and armed conflicts are increasing. World-wide civil society organizations claim 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 in 2010 by the international civil society and updated in 2016.

The *Santiago Declaration* recognized as right-holders of the human right to peace individuals, groups, peoples, minorities and humankind (art. 1). It addressed the constitutive elements of the human right to peace, as stipulated in the UN Charter and relevant human rights treaties (art. 2). It stressed the States' obligations as the principal duty-bearers of the human right to peace (art. 3).

The *Santiago Declaration* also recognized 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. 4).

In addition, the *Santiago Declaration* included the right to **education on peace** and human rights within the framework of the Declaration and Program of Action on a Culture of Peace and Dialogue among Cultures. Therefore, cultural violence and **discrimination against women** must be eliminated (art. 5).

Moreover, the *Santiago Declaration* stressed the right to **human security**, including freedom from fear and freedom from want (art. 6). It also included the right to resist and



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oppose oppression from colonialism, foreign occupation, domestic oppression, aggression, genocide, racism, apartheid, war crimes and crimes against humanity.

The *Santiago Declaration* also stated that **victims** of human rights violations have the right to know the truth, to obtain redress, justice, reparation and to guarantees of non-recurrence. **Refugees** shall enjoy refugee status. **Migrants** should enjoy human rights without discrimination (art. 7).

In addition, the rights to **development** and to **environment** are considered essential components of the human right to peace (art. 8).

Finally, the *Santiago Declaration* invited the Human Rights 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 (art. 9).

Therefore, the *Santiago Declaration* provides room for substantive improvement in the language of the Declaration on the Right to Peace adopted by the General Assembly. As resolution 71/189 was adopted by a divided vote of 131 in favor, 34 against and 19 abstentions, the General Assembly decided to continue consideration of the promotion of the right to peace at its seventy-third session (2018) under the item entitled “Promotion and protection of human rights” (paragraph 3).

To conclude, we understand that the world urgently needs a genuine UN Declaration on the Human Right to Peace. The SSIHRL and the International Observatory of the Human Right to Peace call on all civil society organizations to continue their support to the *Santiago Declaration* and to promote it as the genuine representation of the civil society’s interests, with a view to persuade Member States of the General Assembly to review in 2018 its Declaration on the Right to Peace.

Finally, the SSIHRL would like to thank all panellists and participants in the Expert Meeting for their support, to the Chair for her leadership, and to Ms. Irini Proios for her organizational skills and commitment to ensure the success of this Meeting.

Many thanks for your attention.