



Spanish Society for International
Human Rights Law

In special consultative status with the United Nations

Workshop on the Right to Peace 14 June 2018 Room VII Palais des Nations, Geneva

Panel 1

Means to build peace within and between societies: Equality and non discrimination, justice and the rule of law and freedom from fear and want (Article 2 of the 2016 GA Declaration on the Right to Peace: “States should respect, implement and promote equality and nondiscrimination, justice and the rule of law, and guarantee freedom from fear and want as a means to build peace within and between societies.”).

692 world-wide CSO led by the Spanish Society for International Human Rights Law (SSIHRL) and the International Observatory for the Human Right to Peace (IOHRP), rejected the 2016 GA Declaration as insufficient, since it did not recognize the human right to peace nor its essential components. Adopted with a divided vote of 131 in favor, 34 against and 19 abstentions, the Declaration should have been more ambitious, as claimed by CSO.

The CSO draft Declaration on the Human Right to Peace, updated on 20 September 2017 ¹, proposed revising the 2016 GA Declaration to include the following elements:

- The preamble to spell out the legal bases of the right to peace in international human rights law.
- The **right-holders** of peace are individuals, groups, peoples, minorities and humankind.

States are the principal **duty-bearers** of the human right to peace. States should refrain from the use or the threat of use of force in international relations and from imposing unilateral sanctions.

- States shall strengthen the three foundation pillars of the UN in the fields of international peace and security, human rights and development.

¹ [Draft UN Declaration on the Human Right to Peace](#), updated on 20 September 2017 and signed by 692 CSO.



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- States shall facilitate the contribution of women to the peaceful settlement of disputes and the maintenance of peace after conflicts.
- States should suppress propaganda of war.
- States shall respect the right of peoples to self-determination.
- States should reform the Security Council to ensure compliance with its obligations under the Charter of the United Nations.

The **right to disarmament** under international supervision. States should eliminate stockpiles of weapons of mass destruction or of indiscriminate effect, including nuclear, chemical and biological weapons.

- The use of weapons that damage the environment, in particular radioactive weapons and weapons of mass destruction, is contrary to international humanitarian law, the right to a healthy environment and the right to peace.
- Resources released through disarmament shall be devoted to the promotion and fulfillment of human rights treaty obligations, as well as the realization of the rights to development and environment.

The **right to human security**, including freedom from fear and freedom from want. All peoples and individuals have the right to life in a private and public environment that is safe and healthy. Freedom from want implies the enjoyment of the right to sustainable development and of economic, social and cultural rights.

The right to resist and oppose oppression. Individuals have the right to conscientious objection to military service.

- Members of any military or security institution have the right to disobey orders that are contrary to the UN Charter, the international human rights law and the international humanitarian law. The disobedience of such orders shall in no case constitute military offences.
- States shall refrain from outsourcing inherently State military and security functions to private contractors.
- Private military and security companies and their personnel should be held accountable for violations of international human rights law and international humanitarian law.



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- All peoples and individuals have the right to resist and oppose colonialism, foreign occupation and domestic oppression; aggression, genocide, racism, apartheid, war crimes and crimes against humanity.
- UN peacekeepers shall be accountable in cases of criminal misconduct or the violation of international law. Troop-contributing States shall investigate complaints against members of their national contingents.
- Victims of human rights violations have the right to know the truth, to obtain redress, justice, reparation and to guarantees of non-recurrence.
- All individuals have the right to seek and to enjoy refugee status without discrimination, in accordance with international law.
- States have an obligation to respect, protect and fulfill the human rights of all individuals and vulnerable groups under their jurisdiction, regardless of their nationality or origin and regardless of their immigration status.

The rights to **development** and to **environment**. All individuals and peoples have the right to participate in economic, social, cultural and political development, in which all human rights and fundamental freedoms may be fully exercised, as well as to contribute to, and enjoy that development.

- Everyone has the right to a safe, clean and peaceful environment, to sustainable development and to international action to mitigate environment destruction, especially climate change.
- States shall transfer technology in the field of climate change, following the principle of common but differentiated responsibilities.
- In accordance with the UN Framework Convention on Climate Change, States shall provide appropriate financing to States with inadequate resources for adaptation to climate change.

Panel 2

Sustainable measures (Article 3 of the 2016 GA Declaration on the Right to Peace: It calls upon States, the United Nations and specialized agencies to take appropriate sustainable measures to implement the Declaration on the Right to Peace, in particular the United



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Nations Educational, Scientific and Cultural Organization (UNESCO). International, regional, national and local organizations and civil society are encouraged to support and assist in the implementation of the Declaration on the Right to Peace.).

The CSO draft Declaration on the Human Right to Peace, adopted on 20 September 2017, proposed in Article 9 that

- States, the United Nations and its specialized agencies, funds and programmes, shall take appropriate sustainable measures to implement this Declaration.
- International, regional, national and local organizations and civil society should actively participate in the implementation of this Declaration.
- All States must implement in good faith the provisions of this Declaration by adopting relevant legislative, judicial, administrative, educational or other measures necessary to promote its effective realization.
- The Human Rights Council shall monitor progress in the implementation of this Declaration as a permanent item in its agenda and appointing a **Special Rapporteur** on the Human Right to Peace.
- UN human rights treaty bodies and relevant regional bodies are invited to incorporate this Declaration in their protection activities.

Panel 3

Educating for peace (Article 4 of the 2016 GA Declaration on the Right to Peace: international and national institutions of education for peace shall be promoted in order to strengthen among all human beings the spirit of tolerance, dialogue, cooperation and solidarity. To this end, the University for Peace should contribute to the great universal task



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of educating for peace by engaging in teaching, research, post-graduate training and dissemination of knowledge.

The CSO draft Declaration on the Human Right to Peace, adopted on 20 September 2017, proposed in Article 5 that:

- All peoples and individuals have a right to a comprehensive peace and human rights education within the framework of the Declaration and the Programme of Action on a Culture of Peace and Dialogue among Cultures.
- Education and socialization for peace is a condition sine qua non for unlearning war and building identities disentangled from violence.
- Everyone has the right to denounce any event that threatens or violates the right to peace, and to participate freely in peaceful activities for the defense of the right to peace.
- States undertake to revise national laws and policies that are discriminatory against women, and adopt legislation to address domestic violence, trafficking of women and girls and gender-based violence.
