



Spanish Society for International
Human Rights Law

In special consultative status with the United Nations

Expert Meeting on the Human Right to Peace

Geneva, Palais des Nations, 26 June 2019

Statement by Carlos Villán Durán, President of SSIHRL

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

CSO Declaration on the Human Right to Peace and its impact on the General Assembly

Ladies and gentlemen, dear friends,

You may recall that the General Assembly adopted on 17 December 2018 resolution 73/170, titled “Promotion of peace as a vital requirement for the full enjoyment of all human rights by all”. The resolution was adopted in a divided vote of 135 in favor, 53 against and 1 abstention (Tonga). It welcomed the 2016 GA Declaration on the Right to Peace which in its substantive part only had two articles, as follows:

- Article 1. Everyone has the right to enjoy peace such that all human rights are promoted and protected and development is fully realized.
- Article 2. 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.

On behalf of **693 world-wide CSO**, the SSIHRL rejected the 2016 GA Declaration as insufficient, since it failed to recognize the human right to peace or its essential components.

However, in 2018 the GA significantly improved its wording, since it affirmed that “human rights include social, economic and cultural rights and the right to peace, a healthy environment and development”. It was also convinced that “life without war is the primary international prerequisite for the material well-being, development and progress of countries and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations”.



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Consequently, the GA reaffirmed that “the peoples of our planet have a sacred right to peace”; that peace “is a vital requirement for the promotion and protection of all human rights for all”; and that “the deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed and developing worlds pose a major threat to global prosperity, peace and security and stability”.

In addition, the GA emphasized that “the preservation and promotion of peace demand that the policies of States be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations”.

It also reaffirmed the duty of all States “to use peaceful means to settle any dispute to which they are party and the continuance of which is likely to endanger the maintenance of international peace and security, as a vital requirement for the promotion and protection of all human rights of everyone and all peoples”.

Finally, the GA underlined “the vital importance of education for peace as a tool to foster the realization of the right of peoples to peace”; invited “States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights”; and decided to continue consideration of this question in 2020.

We welcome the 2018 GA resolution, as it reduces the gap between the 2016 GA Declaration and the 2017 CSO Declaration on the Human Right to Peace¹. However, progress is still needed to introduce the following essential components of the human right to peace:

- The preamble to spell out the legal bases of the right to peace in international human rights law.
- The right-holders are individuals, groups, peoples, minorities and humankind.
- The States’ obligations to refrain 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.
- States shall facilitate the contribution of women to the peaceful settlement of disputes and the maintenance of peace after conflicts.
- States must suppress propaganda of war and respect the right of peoples to self-determination.

¹ See [Draft United Nations Declaration on the Human Right to Peace \(CSO\)](#), of 20 September 2017.



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- States should reform the Security Council to ensure compliance with its obligations under the Charter of the United Nations.
- The right to disarmament shall be recognized.
- The right to education on peace and human rights. Cultural violence and discrimination against women must be eliminated.
- The right to human security, including freedom from fear and freedom from want.
- 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 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.
- Recognize the rights to development and environment as part of the right to peace.

At the workshop on the implementation of the GA Declaration on the Right to Peace, held on 14 June 2018, we reiterated the CSO's claim to spell out the components of the human right to peace. We also invited the HR Council to appoint a **Special Rapporteur on the Human Right to Peace**, with the mandate of revising the 2016 GA Declaration in consultation with CSO and all interested stake-holders, so that the human right to peace and all its essential components be recognized.²

In preparation of the 2020 General Assembly session, we call on all interested Governments, International Organizations and CSO to actively reiterate their support to the 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, refugees and migrants, particularly women and children, reached unprecedented figures since the end of World War II.

² See [Summary of the intersessional workshop on the right to peace. Report of the United Nations High Commissioner for Human Rights](#). Doc. A/HRC/39/31, 31 July 2018, paragraphs 26, 43 and 64.



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The response of the international community has been disappointing. The body trusted by the UN Charter to keep the 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.

We, therefore, invite both the HR Council and the General Assembly to take duly into consideration the 2017 CSO draft declaration, which represents the genuine aims of civil society, as well as the Declaration on the Right to Peace which was adopted by the HRC Advisory Committee in 2012.

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

Many thanks for your attention.