

## REPORT ON THE EXPERT MEETING ON THE HUMAN RIGHT TO PEACE

Geneva, Palais des Nations, 26 June 2019

*The Panel reviewed the content and vital importance of the Human Right to Peace, in accordance with the draft declaration proposed by 693 worldwide Civil Society Organizations (CSO), in preparation of the UN General Assembly 2020.*

At the opening of the Meeting, the Chair-person **Ms Lois A. Herman**, Managing Director of WUNRN (Women's UN Report Network), asked the audience why is the Human Right to Peace so fundamental and how can we protect it. She showed the relevance of the Human Right to Peace in today's context of severe wars taking place in multiples countries. She focused on the situation of Iraq, Syria and Soudan and highlighted the vulnerability of women and children in those conflicts.

Then Ms. Herman read out the written statement prepared from New York by **Ambassador Anwarul K. Chowdhury**, Former Under-Secretary-General and High Representative of the UN, reminding the long and current battle for the recognition and implementation of the Human Right to Peace. The UN failed to integrate the human right to peace into the Declaration and Program of Action on Culture of Peace (1999). In 2016, the UN General Assembly voted a resolution annexing a minimalist Declaration on the Right to Peace that did not recognize peace as a human right neither its essential elements. Therefore, there is still no acceptable Declaration on the Human Right to Peace to this day. Ambassador Chowdhury here underlined the positive role played by Civil Society Organizations in advocating for the recognition of the Human Right to Peace and encouraging further cooperation and actions to bring Human Right to Peace at the front at the General Assembly in 2020.

**Prof Carlos Villán Durán**, President of the Spanish Society for International Human Rights Law (SSIHRL), further detailed why the 2016 GA Declaration on the Right to Peace, despite the improvement brought by the GA to its working in 2018, continues to be insufficient and fails to recognize all essential components of Human Right to Peace. According to the CSO draft Declaration, the following elements should be added to the GA Declaration:

1. The Preamble to spell out the legal basis of the right to peace in international human rights law.
2. The right-holders are individuals, groups, peoples, minorities and humankind.
3. The States' obligations to refrain from imposing unilateral sanctions.
4. States shall strengthen the three foundation pillars of the UN in the fields of international peace and security, human rights and development.
5. States shall facilitate the contribution of women to the peaceful settlement of disputes and the maintenance of peace after conflicts.
6. States must suppress propaganda of war and respect the right of peoples to self-determination.
7. States should reform the Security Council to ensure compliance with its obligations under the Charter of the United Nations.
8. The right to disarmament shall be recognized.
9. The right to education on peace and human rights. Cultural violence and discrimination against women must be eliminated.
10. The right to human security, including freedom from fear and freedom from want.
11. The right to resist and oppose oppression from colonialism, foreign occupation, domestic oppression, aggression, genocide, racism, apartheid, war crimes and crimes against humanity.
12. Private military and security companies, as well as UN peacekeepers, shall be accountable for violations of human rights.
13. Victims of human rights violations have the right to know the truth, to obtain redress, justice, reparation and to guarantees of non-recurrence.
14. Refugees shall enjoy refugee status.
15. Migrants should enjoy human rights without discrimination

And,

16. Recognize the rights to development and environment as part of the right to peace.

Finally, Prof. Villán Durán invited the Human Rights 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. He deplored once again the international response to the increase of armed conflicts, mass exoduses of war victims, refugees and migrants, and the impunity with which powerful actors continue to commit international crimes in all impunity, due to the veto right of the five Permanent Members, which impede the Security Council to take appropriate decisions.

**Prof. Miguel de la Lama**, Former Secretary of the HR Council's Working Groups on Arbitrary Detention and Enforced or Involuntary Disappearances as well as member of the SSIHRL, outlined six main components to the Human Right to Peace which were lacking in the GA 2016 Declaration and in the recent GA 2018 resolution on the right of peoples to peace:

1. The right to resist and oppose oppression: According to the General Comment on Article 18 of ICCPR, the Human Rights Committee stated that individuals have the right to conscientious objection to military services. Additionally, members of any military or security institution have the right to disobey orders that are contrary to the Charter of the United Nations or to the international human rights law. As for private military and security companies, they should be held fully responsible when they commit violations of international human rights and humanitarian law.
2. Discrimination against women: States have the duty to amend and adopt new legislation when necessary to address gender-based discrimination and women victimization.
3. Right to international disarmament under UN control. According to Article 4 (2) of the draft CSO Declaration, the use of weapons damaging the environment is contrary to international humanitarian law, the right to a healthy environment and the right to peace.
4. Rights to development and environment: Prosperity, security and stability are essential for peace. States must ensure that individuals live in a sustainable environment in which peoples may enjoy the right of self-determination and the right to participate in economic, social, cultural and political development. The international economic order must ensure the fair distribution of global resources and the environmental protection as well.
5. Right to human security: States must ensure the safe and healthy environment of their citizens free from threat and want, and should suppress propaganda of war.
6. Right to education: As stated in Article 4 of the 2016 GA Declaration on the Right to Peace and reiterated in the 2017 CSO draft Declaration on the Human Right to Peace, the education for peace and human rights is a powerful tool to work towards socialization for peace, unlearning war and build identities disentangled from violence.

In this context, all speakers underlined the need for action to recognize and bring forward the Human Right to Peace.

**Ms Elly Pradervand**, Founder and President of Women's World Summit Foundation (Rural Woman-Peace & Development), presented the [Jai-Jagat 2020 campaign](#), a civil society World March for Peace and Justice based on a vision of ahimsa (nonviolence) to bring action and social change. More precisely, the Jai-Jagat campaign targets four main pillars: Eradication of Poverty; Eliminating Social Exclusion; Ameliorating the Climate Crisis; and Halting Conflict and Violence. The March will begin on 2 October 2019 close to the Memorial of Mahatma Gandhi in New Delhi, and will finalize in October 2020 at the United Nation Office at Geneva, Switzerland, after 10,000 km and having crossed a total of 16 countries.

The SSIHRL joined this valuable initiative from the civil society and invited the 693 CSO who signed the [CSO draft Declaration on the Human Right to Peace](#) to adhere to the March. Hopefully, the CSO Declaration will be useful for those marching in favor of Peace and Justice in the World.