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Human rights bodies and mechanisms

Joint written statement* submitted by the Commission of the Churches on International Affairs of the World Council of Churches (CCIA/WCC), International Association of Soldiers for Peace, Zonta International, International Federation of Settlements and Neighbourhood Centres (IFS), International Council Of Women (ICW-CIF), International Association for Religious Freedom (IARF), Asian Legal Resource Centre (ALRC), Franciscans International (FI), International Federation of Business and Professional Women, Soroptimist International, International Institute for Non-Aligned Studies, non-governmental organizations in general consultative status, the World Young Women's Christian Association (World YWCA), Dominicans for Justice and Peace (Order of Preachers), Buddha's Light International Association (BLIA), Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, Pax Romana (International the Catholic Movement for Intellectual and Cultural Affairs and the International Movement of Catholic Students), Temple of Understanding (TOU), Women's World Summit Foundation (WWSF), International Federation of University Women (IFUW), Worldwide Organization for Women (WOW), Union of Arab Jurists, Rencontre Africaine pour la Defense des Droits de l'Homme (RADDHO), Foundation for the Refugee Education Trust (RET),

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

International Bridges to Justice (IBJ), Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC), American Association of Jurists (AAJ), Congregation of our Lady of Charity of the Good Shepherd, Lassalle-Institut, UNESCO Centre of Catalonia, Pan Pacific and South East Asia Women's Association (PPSEAWA), International Movement for Fraternal Union Among Races and Peoples (UFER), International Federation of Women Lawyers (FIDA), International Federation of Women in Legal Careers (FIFCJ), Canadian Federation of University Women (CFUW), International Association for Women's Mental Health (IAWMH), International Women's Year Liaison Group (IWYLG), Institute of International Social Development, African Action on AIDS, International Society for Traumatic Stress Studies (ISTSS), Lama Gangchen World Peace Foundation (LGWPF), Pax Christi International, International Catholic Peace Movement, Tandem Project, Organization for Defending Victims of Violence (ODVV), Solar Cookers International (SCI), World Federation for Mental Health (WFMH), United States Federation for Middle East Peace, Network Women in Development Europe (KULU, Denmark), North-South XXI, United Towns Agency for North-South Cooperation, International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Maryknoll Fathers and Brothers, Maryknoll Sisters of St. Dominic, International Forum for Child Welfare, BADIL Resource Center for Palestinian Residency and Refugee Rights, Arab Lawyers Union, General Federation of Iraqi Women, International Federation of Social Workers (IFSW), International Association of Peace Messenger Cities, Committee for Hispanic Children and Families, Comite International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC), Education International (EI), Cairo Institute for Human Rights Studies (CIHRS), World for World Organisation (WFWO), Universal Esperanto Association (UEA), Associated Country Women of the World (ACWW), Council of American Overseas Research Centres, Zenab for Women in Development, Inc., The Grail, UNANIMA International, Association for Democratic Initiatives (ADI), Centre for Development Studies and Action, Deniz Feneri Association (Light House Aid and Solidarity Association), Arab Centre for the Independence of the Judiciary and the Legal Profession (ACIJLP), Commission for the Defense of Human Rights in Central America (CODEHUCA), International Association of Democratic Lawyers (IADL), General Arab Women Federation (GAWF), Centre Independent de Recherches et d'Initiatives pour le Dialogue (CIRID), International Association of Schools of Social Work (IASSW), International Fellowship of Reconciliation (IFOR), Comision Colombiana de Juristas (CCJ), COJEP International (Conseil de Jeunesse Pluriculturelle), Association of African Women for Research and Development (AAWORD), Center for Migration Studies of New York (CMS) (member of the Scalabrini

International Migration Network), World Association for Psychosocial Rehabilitation (WAPR), Foundation for Subjective Experience and Research, Institute of International Social Development, African Women's Development and Communication Network (FEMNET), Salvation Army, International Association of Initiatives of Change (IOFC), Planetary Association for Clean Energy, Inc., International Association of Gerontology and Geriatrics, Prison Fellowship International (PFI), Associazione Comunità Papa Giovanni XXIII, World Organization against Torture (OMCT), Action internationale pour la paix et le développement dans la région des Grands Lacs, Association apprentissage sans frontières (ASF), Indian Movement "Tupaj Amaru", General Arab Women Federation, National Council of Women of Canada, National Council of Women of the United States, National Council of Women of Great Britain, Peace Boat, United Network of Young Peacebuilders (UNOY), Canadian Federation of University Women (CFUW), African Peace Network (APNET), Right to Energy Sos Future, Myochikai (Arigatou Foundation), Fondation Idole, Centre for Development Studies and Action, Ius Primi Viri International Association (IPV), African Women Association (AWA), Association of African Women for Research and Development, Center for Practice-Oriented Feminist Science (PROFS), Femmes Africa Solidarité (FAS), International Movement against all Forms of Discrimination and Racism (IMADR), non-governmental organizations in special consultative status, the Federation for Peace and Conciliation (IFPC), World Association for the School as an Instrument of Peace, International Society for Human Rights (ISHR), Institute for Planetary Synthesis (IPS), International Peace Bureau (IPB), UNESCO Centre Basque Country (UNESCO ETXEA), 3HO Foundation, Inc. (Healthy, Happy, Holy Organization), Dzeno Association, Country Women Association of Nigeria (COWAN), Association Nigérienne des Scouts de l'Environnement (ANSEN), International Peace Research Association (IPRA), Asia Pacific Forum on Women, Law and Development (APWLD), International Progress Organization (IPO), Arab NGO Network for Development, Gray Panthers, European Federation for Road Traffic Victims (FEVR), non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 May 2011]

Joint reply of 1795 NGO, CSO and cities to the Advisory Committee questionnaire on elements for a draft declaration on the right to peace**

I.

The Human Rights Council has been working since 2008 on the promotion of the right of peoples to peace. On 17 June 2010 it adopted resolution 14/3 which explicitly recognized "... the important work being carried out by civil society organizations for the promotion of the right of peoples to peace and the codification of that right"¹; and "supported the need to further promote the realization of the right of peoples to peace". In that regard it requested "the Advisory Committee, in consultation with Member States, civil society, academia and all relevant stakeholders, to prepare a draft declaration on the right of peoples to peace, and to report on the progress thereon to the Council at its seventeenth session"².

Pursuant to its recommendation 5/2 of 6 August 2010, the Advisory Committee established a drafting group with the mandate "...to submit a draft progress report on the draft

** The Canadian Museum for Human Rights, Institute for Defense Security and Peace Studies, Japan Lawyers International Solidarity Association, Operation Peace Through Unity, Center for Global Nonkilling, Fundación Seminario de Investigación para la Paz, Asociación Pro Derechos Humanos de Andalucía, General Federation of Iraqi Women, Monitoring Net of Human Rights In Iraq (MHRI), The Association of Iraqi POWs, Association of International Humanitarian Lawyers (AIHL), Women's Will Association (WWA), The Association of Iraqi Jurists (AIJ), Conservation Centre of Environmental & Reserves In Iraq (CCERF), Human Rights Division of the Association of Muslims Scholars In Iraq (AMSI), Al-Basaeer Media Association (ABMA), Studies Center of Human Rights and Democracy (SCHR), Association of Human Rights Defenders In Iraq (AHRDI), The Iraqi Commission for Human Rights (Iraqi-CHR), The Organization For Widows And Orphans (OWO), The Iraqi Association Against War (IAAW), Organization for Justice and Democracy In Iraq (OJDI), Association of Iraqi Diplomats (AID), Arab Lawyers Network (UK), Iraqi Human Rights Center, APRED (Association for Non-Militarisation and Demilitarisation), Marygrove College Dept. of Campus Ministry (Detroit, USA), Foundation for Gaia, Egyptian Association for Civic Engagement, Sudanese Civic Forum, Transparency Association in Bahrain, Human Right Information and Training Center in Yemen, Espace Associatif from Morocco, Associació per a la recuperació de la memòria històrica de Catalunya, Spanish Federation of Associations on Defensa and Promotion of Human Rights (Asociación para la Defensa de la Libertad Religiosa (ADLR), Asociación Pro Derechos Humanos de España (APDHE), Associació per a les Nacions Unides a Espanya (ANUE), Comisió Espanyola de Ayuda al Refugiado (CEAR), Comunidad Bahá'í de España, Federació Catalana d'Organitzacions no Governamentals pels Drets Humans (27 NGOs and CSOs), Fundación Paz y Cooperación, Institut de Drets Humans de Catalunya (IDHC), Instituto de Estudios Políticos para América Latina y África (IEPALA), Justicia y Paz. España (JP. España), Liga Española Pro-Derechos Humanos (LEPDHH), Movimiento por la Paz, el Desarme y la Libertad (MPDL), Paz y Tercer Mundo – Mundubat (PTM), NGO coalition for International Advocacy: 40 member organisations across archipelago, Jakarta (Indonesia), Arab NGO Network for Development (8 NGOs platforms, please see in <http://www.annd.org/members.php>), Global Alliance for Ministries and Departments of Peace (39 NGOs, please see in <http://www.mfp-dop.org/>), Global Article 9 Campaign (77 NGOs, please see in <http://www.article-9.org/en/support/list.html>), International Association of Peace Messenger Cities (101 cities, please, see in <http://www.iapmc.org/>), United Network of Young Peacebuilders (47 NGOs and CSOs, please in <http://www.unoy.org/>), Asamblea Permanente de la Sociedad Civil por la Paz de Colombia (71 colombian NGOs, please see <http://www.asambleaporlapaz.com/>), International Peace Bureau (20 international and 270 national NGOs, please see <http://ipb.org/i/index.html>), Global Network of Women Peacebuilders (48 NGOs and CSOs worldwide, please see in <http://www.gnwp.org/>), World organization against Torture (297 NGOs and CSOs worldwide, please see at <http://www.omct.org/network/>), The International Office for Human Rights Action on Colombia (OIDHACO) (30 european and international NGOs worldwide, please see at <http://www.oidhaco.org/?cat=1005&title=Miembros+OIDHACO&lang=en>), Education International (394 teachers and education employees organizations worldwide, please see at <http://www.ei-ie.org/searches/display/index/5162>), NGOs without consultative status, also share the views expressed in this statement.

¹ Last preambular paragraph of the res. 14/3 cit.

² *Ibidem* id., operative § 15.

declaration on the right of peoples to peace to the sixth session of the Advisory Committee (AC)”.

The AC revised progress report submitted to the HR Council (A/HRC/17/39 of 28 March 2011) proposed more than 40 possible standards for inclusion in the draft declaration on the right to peace. It also referred to specific rationale leading to including them and relevant legal standards (paragraph 72). In the light of discussions to be held by the HR Council and of responses from all stakeholders, the drafting group will work at its upcoming meetings on a draft declaration that will be submitted in January 2012 to the Advisory Committee. The ultimate aim of the drafting group is to produce a document helping to promote freedom, peace and security and which will be valuable in the promotion of the human rights agenda and the right to peace (paragraph 74).

As part of the consultations undertaken by the Advisory Committee a questionnaire on possible elements for a draft declaration on the right of peoples to peace was distributed among relevant stakeholders, including NGO and CSO, in order to assist Advisory Committee in furthering its work on the right to peace.

On 2 May 2010 the International Observatory on the Human Right to Peace and the Spanish Society for the International Human Rights Law, acting on behalf of 1.795 CSO, NGO and cities world-wide, submitted to the Advisory Committee their joint reply to the questionnaire. It provided further elements and standards that civil society would like to see included in the AC draft declaration. It was the result of a genuine and transparent international dialogue with peace-loving organizations from the five regions of the world³.

II.

Although the legal standards proposed by the AC revised progress report are welcome, the international civil society requested that the proposed standards be complemented as follows:

1. **Disarmament:** Five additional standards, namely: the impact of illicit small arms and light weapons on human rights standards; the need to monitor and regulate the production and arms trade; the inclusion of the UN Millennium Declaration and the Millennium Development Goals (MDG); recognition of gender mainstreaming as a major global strategy for the promotion of gender equality and disarmament; and the impact of environment in the agreements on disarmament and arms limitations as adopted by the UN Conference on Environment and Development;
2. **Human security:** Reference to the interrelationship between causes of war and the enjoyment of economic, social and cultural rights.
3. **Resistance to oppression:** Alternative wording as proposed by Art. 6 of the Santiago Declaration: “The right to resist and oppose oppression”.
4. **Right to conscientious objection and freedom of religion and belief:** It should be divided in two different standards: the right to disobedience and to conscientious objection and freedom of religion and belief.
5. **Peace education:** Three additional standards, namely: gender approach to the peace education; peace education as means to halt racism or xenophobia and to promote human rights; and relationship between peace education and children, as recognized by the Convention on the Rights of the Child.

³ See full text of the NGO joint reply to the questionnaire at www.aedidh.org

6. **Development:** Three additional standards, namely: the right to peace as precondition of the right to development and of the enjoyment of all human rights; gender approach to the right to development; and the interdependence among peace, human rights and development.

7. **Environment, in particular climate change:** Two additional standards, mainly: the 1972 Stockholm Declaration as the starting point of a rights-based approach to environmental protection; and the impact of the environment on women and children's rights. And

8. **Victims and vulnerable groups:** Gender approach to the right to justice.

In addition, the joint reply referred to **five standards** to be part of the core components of the right to peace, namely:

1. Double dimension of the right to peace -individual and collective-. It should be recognized with a specific standard on right-holders and duty-holders of the right to peace, in line with Article 1 of the Santiago Declaration on the Human Right to Peace (10 December 2010).

2. Strengthening the relationship among the right to peace and women, migrations, indigenous peoples, and the prohibition of racism, racial discrimination, xenophobia and related intolerance.

Regarding the implementation of the right to peace, the joint reply proposed that the following good practices be adopted at national level by all States:

1. To include, elaborate and/or strengthen the right to peace at the national Constitutions;

2. To recognize the right to peace as a justiciable right to be adjudicated by local courts;

3. To set up Ministries and Departments of Peace at local, regional and national level;

4. To promote declarations on the human right to peace by local, regional and national Parliaments and City Councils;

5. To adopt National Plans of Action to implement Security Council resolution 1325 on women, peace and security;

6. To establish international non-violent peace corps;

7. To protect minorities;

8. To support local non-violent conflict resolution; and

9. To set up communities of Peace Academies at the local, regional and national level.

As far as the leading role of civil society to better enhance the right to peace, the joint reply proposed as good practices the Statutes of the International Observatory on the Human Right to Peace (IOHRP) approved on 10 December 2010 by the International Congress on the Human Right to Peace (Santiago de Compostela, Spain). Operative since 10 March 2011 as a part of the SSIHRL, it is benefiting from the wide experience gained throughout the SSIHRL four-year World Campaign on the human right to peace. To preserve its autonomy, the Observatory has its own structure that includes the General Assembly of all its members; it is led by the Executive Committee (15 independent experts) and the Bureau; and its activities are carried out by the permanent International Secretariat (Article V of the Statutes).

The main purposes of the IOHRP are the promotion and implementation of the Santiago Declaration on the Human Right to Peace and to monitor the codification process within the UN competent bodies, ensuring that the General Assembly would adopt a Universal Declaration of the Human Right to Peace taking fully into account the Santiago Declaration and its preparatory work. Furthermore, the IOHRP will prepare field reports; develop reliable indicators to measure States and other international actors' compliance with the human right to peace in accordance with the normative content of the Santiago Declaration; and publish reports on situations of serious, massive and systematic violations of the human right to peace.

Regarding to the experiences of international and regional organisations in the implementation of the right to peace, the joint reply reminded the following good practices:

1. The Constitutions of UNESCO (culture of peace), ILO (social justice and peace), FAO (eradication of hunger and peace), and WHO (the health of all peoples is fundamental to the attainment of peace and security);
2. The relevant regional human rights and peace instruments adopted in Latin America⁴, Africa⁵, Asia⁶, Arab and Islamic States⁷; and
3. The promotion of new human rights and security systems such as the extension of Nuclear Weapons Free Zone to all regions of the world, the establishment of Zones of Peace all over the world, the adoption of new human rights instruments on peace, security and human rights, the adoption of a Decade to Overcome violence and the observance of the International Day of Peace (global ceasefire and non violence).

With regard to peace education, the joint reply stressed as good practices for primary, secondary and tertiary education the establishment of administrative infrastructures for peace such as Ministries or Departments of Peace, local peace councils or peace commissions; and the promotion of restorative circles as a means to enhance the principles of peace education that are very valuable when looking to address violations of the right to peace.

The work of peace educators and facilitators world-wide is essential to support the right to peace when they are implementing appreciative dialogue processes. The final civil society report on the Decade for a Culture of Peace (2001-2010) is offering a valuable resource on new developments in the field of peace education.

⁴ Charter of the Organization of American States, the American Convention on Human Rights and the Protocol of San Salvador, the Treaty of Institutionalization of the Latin American Parliament and the Ibero-American Convention on Young People's Rights

⁵ Constitutive Act of the African Union, the African Charter of Human and Peoples Rights and Protocol to the African Charter concerning the Rights of Women in Africa

⁶ Declaration of Bangkok, the Charter of the Association of Southeast Asian Nations, the Asian Charter on Human Rights and the Intergovernmental Commission of Human Rights of the Association of Southeast Asian Nations

⁷ Charter of the League of Arab States, the Arab Charter of Human Rights and Charter of the Organization of the Islamic Conference