

IN FOCUS: THE HUMAN RIGHT TO PEACE

Contributed by Cora Weiss, President, Samuel Rubin Foundation
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An extraordinary civil society initiative – in which dozens of organizations from every continent played an instrumental role – is making its way through the UN Human Rights Council and then the General Assembly. It is a universal declaration on the human right to peace, officially known as the *Barcelona Declaration on the Human Right to Peace*.



The Barcelona Declaration was sponsored by the Spanish Society for International Human Rights Law and the International Catalan Institute for Peace. It results from a process started in 2005. A panel of experts helped formulate the original draft of the declaration in October 2006 in Lluçanès, Spain. After many meetings around the world, the declaration was adopted by consensus of the International Drafting Committee on June 2, 2010 in Barcelona. The Committee was comprised of ten independent experts reflecting gender balance and representing each of the five UN geographical groups. [Ambassador Anwarul Chowdhury, former Under-Secretary-General and High Representative of the United Nations and Chairperson of the Drafting Committee, and the Spanish Association for the Development and Application of International Human Rights Law contributed significantly to the advancement of the Barcelona Declaration.]

The 16-page Declaration, with 28 preamble paragraphs and 15 articles, represents a comprehensive review of the Charter of the United Nations. It stresses that peace is a universal value and the *raison d'être* of the United Nations. The document incorporates an amazing history of conventions, declarations, charters and protocols from cities and states all over the world. All of these documents promote the commitment to peace as a general principle of international law and as the underpinning to the realization of rights and freedoms of the Universal Declaration of Human Rights.

There have been many previous efforts to declare a human right to peace, or to frame peace as a human right. The most recent significant effort was the Hague Appeal for Peace conference in May 1999, at which a declaration entitled “Peace is a Human Right” was drafted. In addition, Canadian senator Douglas Roche wrote *The Human Right to Peace* (2003), and political science professor John Fried wrote a paper on the topic, “Toward a Right to Peace” (1994). The UN General Assembly also approved a Declaration on the Right of Peoples to Peace on November 12, 1984, with the United States, United Kingdom and France abstaining from the vote.

While the UN proclaimed September 21 to be the International Day of Peace and the Director-General of UNESCO wrote a Declaration on the Human Right to Peace (January 1997), nowhere is there an explicit statement in established or customary law establishing a right to peace. Thus, the well researched, issue-inclusive, Barcelona Declaration – thoroughly reviewed by both experts and members of civil society – is a necessary addition to the existing body of human rights laws.

The Barcelona Declaration incorporates key principles from other international documents. It includes, for example, an article on uncontrolled trafficking of arms, manufacturing of weapons, the need to implement the Nuclear Non-proliferation Treaty, and the right to disarmament, inspired by UNESCO's Declaration and Programme of Action on a Culture of Peace (September 2000). The Barcelona Declaration also invokes the Rome Statute of the International Criminal Court, calling for accountability of the increasing numbers of private mercenaries and security contractors, and arguing that impunity is incompatible with peace and justice.

Especially important is the recognition that the achievement of peace is a shared responsibility of individuals; that there is an equality of rights and respect for gender-based differences, cultural values and religious beliefs; and that there is a right to education on peace, development, and a sustainable environment. Individuals also have a right to resist and oppose oppressive and totalitarian regimes, and to engage in civil disobedience and conscientious objection.

A very important development occurred on June 17, 2010: The UN Human Rights Council – an inter-governmental body within the UN system comprised of 47 states responsible for strengthening the promotion and protection of human rights around the globe – adopted a draft resolution entitled, “Promotion of the Right of Peoples to Peace.” This resolution was sponsored by 22 developing states, and 31 states in the Human Rights Council voted in favor, 14 against, and 1 abstained. The resolution acknowledges the work of civil society and requests the Human Rights Council's Advisory Committee to draft a declaration on the right of peoples to peace. The Spanish Society for International Human Rights Law and associated non-governmental organizations will continue their work at the UN to achieve adoption by the UN General Assembly for a final Universal Declaration of the Human Right to Peace.

Funders can advance this endeavor by supporting the World Campaign for the Human Right to Peace and its efforts to educate international civil society and governments on the content and scope of the Human Right to Peace as set forth in the Barcelona Declaration.

For more information, contact Cora Weiss at cweiss@igc.org.

RESOURCES FOR GRANTMAKERS:

- 1) The full text of the Barcelona Declaration on the Human Right to Peace is available at <http://www.aedidh.org>
- 2) Joint written statement submitted by non-governmental organizations around the world in support of the Human Right to Peace: <http://aedidh.org/sites/default/files/codificacion-dhp-declaracion-en.pdf>
- 3) The website of the Spanish Society for the International Human Rights Law: <http://www.aedidh.org/?q=node/1144>