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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

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

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

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

the COJEP International (Conseil de Jeunesse Pluriculturelle), the Association of African Women for Research and Development (AAWORD), the Center for Migration Studies of New York (CMS) (member of the Scalabrini International Migration Network), the World Association for Psychosocial Rehabilitation (WAPR), the Foundation for Subjective Experience and Research, the African Women's Development and Communication Network (FEMNET), the Salvation Army, the Planetary Association for Clean Energy, Inc., the International Association of Gerontology and Geriatrics, the Action internationale pour la paix et le développement dans la région des Grands Lacs, the Association apprentissage sans frontieres (ASF), the Indian Movement "Tupaj Amaru", the General Arab Women Federation, the National Council of Women of Canada, the International Association of Lawyers Against Nuclear Arms (IALANA), Peace Boat, United Network of Young Peacebuilders (UNOY), the African Peace Network (APNET), the Fondation Idole, the African Women Association (AWA), the Center for Practice-Oriented Feminist Science (PROFS), the Femmes Africa Solidarité (FAS), the International Movement against all Forms of Discrimination and Racism (IMADR), non-governmental organizations in special consultative status, the Federation for Peace and Conciliation (IFPC), the World Association for the School as an Instrument of Peace, the International Society for Human Rights (ISHR), the Institute for Planetary Synthesis (IPS), the International Peace Bureau (IPB), the UNESCO Centre Basque Country (UNESCO ETXEA), the 3HO Foundation, Inc. (Healthy, Happy, Holy Organization), the Dzeno Association, the Country Women Association of Nigeria (COWAN), the Association Nigerienne des Scouts de l'Environnement (ANSEN), the International Peace Research Association (IPRA), the Asia Pacific Forum on Women, the Law and Development (APWLD), the International Progress Organization (IPO), the Arab NGO Network for Development, 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.

[10 February 2011]

The human right to peace and freedom of religion or belief**

I.

The Spanish Society for the International Human Rights Law (SSIHRL) welcomed the International Congress on the Human Right to Peace, which took place in Santiago de Compostela (Spain) in the context of the World Social Forum on Education for Peace. It approved on 10 December 2010 by consensus two important documents:

Firstly, the Santiago Declaration on the Human Right to Peace¹, which represents the aspirations of the international civil society aiming at the codification of the human right to peace. It was the end of a fruitful private codification process initiated on 30 October 2006 with the Luarca Declaration on the Human Right to Peace², which was drafted by a Committee of 15 independent experts.

During the World Campaign on the Human Right to Peace (2007-2010), the SSIHRL organized workshops and expert meetings on the human right to peace in all regions of the world, receiving inputs from different cultural sensibilities. The Luarca Declaration was

** FORWARD-Germany, Renaissance Africaine , Tribal Link Foundation, Campaign Article 9, the Lawyers Committee on Nuclear Policy (LCNP), Foundation for Gaia (GAIA), Association Biological•Cultural Diversity (ABCD), The Egyptian Association for Civic Engagement, the Sudanese Civic Forum, the Transparency Association in Bahrain, the Human Right Information and Training Center in Yemen, the Espace Associatif from Morocco, 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-Basaer Media Association (ABMA), Studies Center of Human Rights and Democracy (SCHRDI), 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, 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), Comisión Española de Ayuda al Refugiado (CEAR), Comunidad Bahá'í de España, Federación 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 (LEPDDHH), Movimiento por la Paz, el Desarme y la Libertad (MPDL), Paz y Tercer Mundo – Mundubat (PTM), Global Alliance for Ministries and Departments of Peace (39 NGOs, please see in <http://www.mfp-dop.org/>), Operation Peace Through Unity (OPTU), United Network of Young Peacebuilders (42 NGOs and CSOs, please in <http://www.unoy.org/>), Hague Appeal for Peace (157 NGOs and CSOs worldwide, please see in <http://www.haguepeace.org/>), Global Network of Women Peacebuilders (48 NGOs and CSOs worldwide, please see in <http://www.gnwp.org/>), International Peace Bureau (20 international and 270 national NGOs, please see <http://ipb.org/i/index.html>), Arab NGO Network for Development (23 NGOs and CSOs, please see in <http://www.annd.org/>), WIDE, Network Women in Development (12 NGOs, CSOs and networks, please see in <http://www.wide-network.org/>), International Association of Peace Messenger Cities (101 cities, please, see in <http://www.iapmc.org/>), NGOs without consultative status, also sharing the views expressed in this statement.

¹ See full text of the Santiago Declaration at www.aedidh.org

² See full text of the Luarca Declaration at www.aedidh.org

reviewed by a technical drafting Committee of 14 independent experts, which approved on 24 February 2010 the Bilbao Declaration on the Human Right to Peace³.

The Bilbao Declaration was also reviewed by the International Drafting Committee (ten experts from the five geographical groups), which approved on 2 June 2010 the Barcelona Declaration on the Human Right to Peace⁴. This text was submitted to debate at the Santiago Congress, which finally approved on 10 December 2010 the Santiago Declaration, which was presented to the Advisory Committee at its sixth session (January 2011).

Secondly, the Santiago Congress approved the Statutes of the International Observatory on the Human Right to Peace⁵, which will be operative on 10 March 2011 as a part of the SSIHRL, benefiting from the wide experience received throughout the four-year World Campaign on the human right to peace, which has received the support of more than 800 civil society organizations world-wide, as well as numerous public institutions. To preserve its own autonomy, the Observatory will enjoy its own structure.

The Observatory will network with local CSO interested in the promotion and defence of the human right to peace. The CSO that are part of the World Alliance on the Human Right to Peace will be especially invited to formalize their incorporation to the Observatory.

The main purpose of the Observatory would be the promotion and implementation of the Santiago Declaration and to monitor de codification process within the UN, ensuring that the General Assembly would adopt a Universal Declaration taking into account the Santiago Declaration and its preparatory work.

Furthermore, the Observatory will prepare field reports; develop reliable indicators to measure the 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.

The Observatory is expected to assist States and international Organizations to focus on the development of the three pillars on which the Charter of the United Nations is based, namely: the system of collective security which prohibits the threat or use of force, and promote the peaceful settlement of disputes in accordance with international law; the economic and social development of peoples; and respect of human rights and fundamental freedoms for all without discrimination. Under these three pillars the human right to peace will be built.

II.

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 on the right of peoples to peace, 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"⁶; 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

³ The full text of the Bilbao Declaration is accessible in several languages at <http://www.aedidh.org>

⁴ The full text of the Barcelona Declaration is accessible in several languages at <http://www.aedidh.org>

⁵ The Statutes of the Observatory are also available at www.aedidh.org

⁶ Last preambular paragraph of the res. 14/3 cit.

on the right of peoples to peace, and to report on the progress thereon to the Council at its seventeenth session"⁷.

Therefore, the Advisory Committee (recommendation 5/2, of 6 August 2010) established a drafting group of four members who submitted its progress report to the Advisory Committee in January 2011. By recommendation 6/3, of 21 January 2011, the Advisory Committee took note of the progress report⁸; increased to six the members the drafting group; and requested it to prepare a questionnaire to be distributed among all the stakeholders. In the light of the comments to be received, it will submit in January 2012 a draft declaration to the Advisory Committee. The progress report will also be submitted to the HR Council at its seventeenth session⁹.

The progress report recognises the important contribution of civil society to the international codification of the right to peace within the United Nations, paying tribute particularly to the World Campaign on the human right to peace carried out by the SSIHRL with the support of more than 800 NGO¹⁰.

As the Santiago Declaration, the progress report suggests to consider peace as the absence of organised violence, the effective protection of human rights, gender equality and social justice, economic well being and free expression of different cultural values, without discrimination¹¹. Consequently, it proposes nine guiding dimensions to be included in the future draft declaration¹². Additionally, it recognises that the right to peace has a double dimension -individual and collective-, and that the duty-holders of the right are both peoples and individuals¹³. Besides, it notes that the establishment, maintenance and strengthening of the right to peace requires the application and respect of all human rights for all¹⁴.

Finally, the progress report recognises that the contribution of women to the cause of peace is fundamental to the full development of a country and world-wide welfare¹⁵. Therefore, all international actors should empower women in their contribution to building, consolidating and maintaining peace after conflicts and to participate at all levels of decision-making process on peace and security issues¹⁶. To this purpose the gender perspective should be incorporated in a comprehensive peace and human rights education¹⁷. Furthermore, national laws and policies discriminatory against women should be reviewed, and legislation addressing domestic violence, trafficking of women and girls and gender-based violence should be adopted¹⁸.

⁷ *Ibidem id.*, operative § 15.

⁸ A/HRC/AC/6/CRP.3, of 22 December 2010.

⁹ *Ibidem id.*, paragraph 74.

¹⁰ *Ibidem id.*, paragraph 14.

¹¹ *Ibidem id.*, paragraph 21.

¹² According to the drafting group the nine guiding dimensions are as follows: peace as a right of all peoples; disarmament; human security and respect of our environment; resistance to oppression; conscientious objection; private military and security forces; education; development; the rights of victims and vulnerable groups; the obligations of States; and the monitoring and implementation of the right of peoples to peace, *Ibidem id.*, paragraph 22.

¹³ *Ibidem id.*, Annex III.

¹⁴ *Ibidem id.*, paragraph 27.e.

¹⁵ *Ibidem id.*, paragraph 9.

¹⁶ *Ibidem id.*, paragraph 67.c.

¹⁷ *Ibidem id.*, paragraph 57.a.

¹⁸ *Ibidem id.*, paragraph 57.f.3.

III.

The phenomenon of intolerance in matter of conviction or belief constitutes a danger for the peace in the world. As several Special Rapporteurs have concluded, it has been a disturbing feature in many regions of the world and has caused the loss of many lives by bringing about many wars and repression throughout human history¹⁹. Discrimination and violence in the name of religion or belief is at the heart of many conflicts that are based on religious issues, often intertwined with particular ethnic, national, political or historical backgrounds²⁰. The HR Council recognised that “the disregard for and infringement of human rights and fundamental freedoms, in particular the right to freedom of thought, conscience, religion or belief, continue to bring, directly or indirectly, wars and great suffering to humankind” (resolution 4/10).

Mr. A. Amor, former Special Rapporteur on freedom of religion or belief, considered that religious extremism violates the right of individuals and peoples to peace and prejudice human rights as a whole. He accordingly recommended that the General Assembly adopt appropriate instruments to combat “hatred, intolerance and acts violence, including those motivated by religious extremism” and to encourage understanding, tolerance and respect in matter of freedom of religion or belief within the framework of the purposes of the Charter and the General Assembly resolution 39/11 of 12 December 1984 (Declaration on the Right of Peoples to Peace)²¹.

Since freedom of religion or belief is protected as a fundamental right under international law²², the inter-religious and intra-religious dialogue is vital for the prevention of conflicts²³. Although the interreligious dialogue alone does not solve underlying problems, it may be a first step in the right direction to look at a common strategy to reduce tensions and promote tolerance²⁴. Several Special Rapporteurs recommended that the HR Council invite Member States to promote and practise dialogue among cultures, civilizations and religions as a more profound way of combating racism and religious intolerance²⁵.

Education is an essential tool to create a genuine human rights culture in society. Schools can be a suitable place to learn about peace, understanding and tolerance among

¹⁹ Report submitted by Mr. Angelo Vidal D'Almeida Ribero, Special Rapporteur appointed in accordance with resolution 1986/20 of the Commission on Human Rights, E/CN.4/1987/35, of 24 December 1986, paragraph 1.

²⁰ *Ibidem* id., paragraph 42.

²¹ Report submitted by Mr. Abdelfattah Amor, Special Rapporteur on freedom of religion or belief, E/CN.4/1995/91, of 22 December 1994, conclusions and recommendations.

²² International human rights instruments containing provisions on the struggle against intolerance and discrimination in matters of religion or belief are as follows: Article 2 and 18 of the Universal Declaration on Human Rights of 1948, article 18 of the International Covenant on Civil and Political Rights; International Convention on the Elimination of All Forms of Racial Discrimination of 1966; the ILO Convention on Discrimination in Respect of Employment and Occupation of 1958; the UNESCO Convention against Discrimination in Education of 1960; the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief of 1981; and the Convention on the Elimination of All Forms of Discrimination against Women of 1979.

²³ Report of the Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, A/HRC/6/5, of 20 July 2007, paragraph 52.

²⁴ Report of the Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, A/HRC/13/40, of 21 December 2009, paragraph 61.

²⁵ Report of the Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène, further to HR Council decision 1/107 on incitement to racial and religious hatred and the promotion of tolerance, A/HRC/2/3, of 20 September 2006, paragraph 63.

individuals, groups and nations to develop respect for pluralism²⁶. School education should contribute to the elimination of negative stereotypes that frequently poison the relationship between different communities and have particularly detrimental effects on minorities²⁷. Appropriate resources should also be available to develop non-formal educational programs as a partnership between governments and CSO.

IV.

Recommendations

The SSIHRL and associated CSO welcome that the proposals of the progress report may also be found in the Santiago Declaration on the Human Right to Peace. However, the Santiago Declaration addresses other issues that should be included in a future declaration, namely:

- To consolidate the human right to peace in its double dimension -individual and collective- as a means to foster the right to self determination of peoples and all human rights, including the right to development
- To recognize the close relationship between human right to peace and integrity, liberty and security of the person and the refugees law; physical and mental health and well-being; the need to protect victims from uncontrolled weapons of mass destruction and from conventional weapons, genocide, crimes against humanity, war crimes and sexual violence and ensure redress for the victims; the need to disarm all weapons; the right to emigrate, to return to the country of origin and to not emigrate; the right to know the truth about human rights violations; the need to protect the rights of the most vulnerable, in particular, women and children
- To strengthen the exercise of civil, political, economic, social, cultural and linguistic rights to enhance social justice, equity and gender equality, and the elimination of extreme poverty, to enable solidarity, peace and friendly relations among all nations, races, ethnicities or religions.
- To stress that the human right to peace includes the rights to environment and to education on and for peace and all other human rights, as well as the construction of democratic, egalitarian and multicultural societies.
- To defend the dialogue and peaceful coexistence among cultures, civilizations and religions or belief, to combat racism, racial discrimination, xenophobia and related intolerance.
- To identify further measures to implement the human right to peace in accordance with the UN Charter, the UDHR and the international and regional human rights instruments. And,
- To recognize women contribution in the field of peace-building and to stress the importance of their participation at all levels of decision-making, as affirmed by the GA in its resolutions 3519 of 1975 and 3763 of 1982; and by the SC in its resolutions 1325 (2000), 1820 (2008), 1888 and 1889 (2009); and to claim a full

²⁶ Interim report of the Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, A/62/280, of 20 August 2007, paragraph 31.

²⁷ Report of the Special Rapporteur on freedom of religion or belief, Mr. Heiner Bielefeldt, A/HRC/16/53, of 15 December 2010, paragraph 29.

and effective implementation of the SC resolution 1325 on women and peace and security.
