

## **I) The Italian Way to the Right to Peace**

### **Constitution of the Italian Republic (1948) (excerpts)**

#### Art. 2

The Republic recognises and guarantees the inviolable rights of the person, both as an individual and in the social groups where human personality is expressed. The Republic expects that the fundamental duties of political, economic and social solidarity be fulfilled.

#### Art. 11

Italy rejects war as an instrument of aggression against the freedom of other peoples and as a means for the settlement of international disputes. Italy agrees, on conditions of equality with other States, to the limitations of sovereignty that may be necessary to a world order ensuring peace and justice among the Nations. Italy promotes and encourages international organisations furthering such ends.

### **Region of Veneto (Italy) – Regional Law 55/1999 «Regional Interventions for the Promotion of Human Rights, the Culture of Peace, the Cooperation to Development and Solidarity» (excerpts)**

#### Article 1

1. The Region of Veneto, consistent with the Constitutional principles sanctioning the repudiation of war as a means of resolving international controversies, and the promotion of human rights, the democratic freedoms and international cooperation, recognises peace as a fundamental human and peoples' right.
2. To this end it promotes the culture of peace through cultural, research, education, cooperation and information initiatives aimed at making Veneto a land of peace.
3. In order to achieve these goals, the Region takes direct initiatives and fosters intervention by local authorities, associations, cultural institutions, volunteer groups and international cooperation groups present in the Region.

### **Selected Examples of the Norms on Peace and Human Rights Included in the Statutes of Italian Municipalities**

*Municipality of Vicenza (Statute adopted in 1991, modified in 2002)*

#### Art. 2 – Peace and cooperation

1. The Municipality, in conformity to the Constitutional principles and to

international norms which recognise the innate rights of human persons, state the repudiation of war as a means of resolving international controversy, and promote cooperation among peoples, recognises peace as a fundamental right of the person and of peoples.

2. To this end the Municipality promotes a culture of peace and human rights through initiatives in cultural and research, education and information initiatives, with the support from associations promoting solidarity with the poorest persons and populations [...]

3. The Municipality, in referring to the Universal Declaration of Human Rights approved by the UN, recognises the value of human life and promotes any initiative offering tangible solidarity toward any person, regardless of their physical, psychic, economic or social condition, their political or religious convictions, their race or their age.

*Municipality of Riccione (Statute adopted in 2005, modified in 2010)*

Art. 3 – Fundamental principles

3. The Municipality recognises peace as a fundamental human and peoples' right, in compliance with the Constitutional principles and international norms recognising the innate rights of human beings, sanctions the repudiation of war and encourages cooperation among peoples. To this end, the Municipality promotes the culture of peace and human rights through initiatives aimed at making the Municipality of Riccione a land of peace.

*Municipality of Brindisi (Statute adopted in 2000, modified in 2006)*

Art. 5 - Principles of action

[...]

3. [The Municipality] Operates in order to achieve the full development of the human person and the effective participation of all citizens to the political, economic, social and cultural development of the Country.

4. Recognizes peace as a fundamental right of individuals and peoples; to this end, the City promotes a culture of peace and human rights through specific research, education, cooperation and information activities.

5. Favours the establishment of a multi-ethnic city through the promotion of tolerance, integration and the specific value of different ethnic cultures and minorities.

6. The Municipality promotes and encourages, in a federalist perspective, initiatives concerning peace and cooperation among peoples, [...].

*Municipality of Catania (Statute adopted in 1995)*

Article 5 - Main objectives

[...]

[The Municipality] guarantees the respect, dignity and hospitality of every human being; promotes forms of cooperation, exchanges and twinning with cities around the world by providing interventions and organizational arrangements to ensure continuity of relationships and increasingly close relationships.

In conformity to the Constitutional principles and to international norms which recognise the innate rights of human persons, state the repudiation of war as a means of resolving international controversy, and promote cooperation among peoples, recognizes peace as a fundamental right of the person and of peoples, and commits itself to maintain its own territory «nuclear-free».

**Petitionary Motion  
for the International Recognition of Peace as a Human Right\***

*The ..... Town (City, Province or Regional) Council*

**concerned** by the continuing outbreaks of war and violent conflict in many parts of the world, not least in Eastern Europe, the Mediterranean, the Middle East, Asia and Africa;

**considering** the ground-breaking initiative undertaken by the UN Human Rights Council concerning the drafting of a United Nations Declaration on the Right to Peace as a fundamental right of peoples and individuals;

**sharing** Pope Francis' hope that «there will be an effective application in international law of the right to peace as a fundamental human right and a necessary prerequisite for every other right»;

**determined** to ensure that the 100th anniversary of the outbreak of the First World War kick-starts a broad-based mobilisation aiming to eliminate the fateful right of states to make war (*ius ad bellum*) and usher in the era of the right to peace (*ius ad pacem*);

**convinced** that disarmament, human development and international cooperation are essential to tackling the current economic crisis while respecting the principles of social justice and the indivisible, interdependent and interrelated nature of all human rights, be they economic, social, civil, political or cultural;

**whereas**, once adopted by the General Assembly of the United Nations, the Declaration on the Right to Peace will:

- render states' obligations more visible and non-deferrable, starting from real disarmament and increasing the power and democratisation of the United Nations and the other legitimate multi-lateral institutions;
- boost further initiatives promoting the respect of all human rights for all people, the rule of law, the welfare state and democratic principles;
- contribute to the development of a universal culture of human rights through the running of special education and training programmes, particularly for young people, on peace, human rights, democratic citizenship and inter-cultural dialogue;

\* Promoted by the Italian Coordinating Body of Local Authorities for Peace and Human Rights, by the University Human Rights Centre and the UNESCO Chair in Human Rights, Democracy and Peace at the University of Padua and by the Network of the Perugia-Assisi Peace March (March 2014).

**bearing in mind** that social peace and international peace are interdependent and indissolubly linked, as stated in article 28 of the Universal Declaration of Human Rights: «Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized»;

**acknowledging** the international campaign for the recognition of the human right to peace, promoted by the Italian Coordination of Local Authorities for Peace and Human Rights, by the University Human Rights Centre and the UNESCO Chair in Human Rights, Democracy and Peace at the University of Padua and by the Network of the Perugia-Assisi Peace March, which aims, among other things, to contribute to the final shaping of the text of the Declaration through proposals to be submitted to the special Working Group of the Human Rights Council and also to organise a meeting at the UN Headquarters in Geneva to illustrate the experience of Italian local government authorities in the field of peace and human rights;

**acting in conformity** with articles 2 and 11 of the Italian Constitution and with the relevant rules and principles of international human rights law;

**recalling** article ..... of the Town (City, Province or Regional) Council Statute wherein it is stated that (quote the article of the statute in which the right to peace is recognised)

**recalling also** the provisions of article 20 of the International Covenant on Civil and Political Rights, ratified by Italy in 1977: «Any propaganda for war shall be prohibited by law»;

**firmly determined** to implement the aforementioned rules fully and consistently, and fully aware of the responsibilities incumbent on the local authorities as the fundamental pole of subsidiarity and the primary supplier of essential services to their citizens;

**reaffirming** therefore the right of the Town (City, County or Regional) Council to participate in the international decision-making processes which are most closely connected to the fundamental rights of the person and of peoples, as legitimised by the Town (City, County or Regional) Statute and by the 1999 United Nations Declaration «on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms»;

**acting as spokespersons** for the citizens' aspirations for timely progress in the building of a world order that is peaceful, just, nonviolent, and democratic;

**recalling** the General Assembly of the United Nations' resolution 67/173

of 22 March 2013 entitled «Promotion of Peace as a vital requirement for the full enjoyment of all human rights by all», which reaffirms «the duty of all States, in accordance with the principles of the Charter, to use peaceful means to settle any dispute to which they are parties 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»;

*the Town (City, Province or Regional) Council of ...*

**welcomes and supports** the initiative of the United Nations Human Rights Council for the recognition of peace as a fundamental human right of the human person and of peoples;

**calls upon the Italian** Parliament and Government to take an active role in the final drafting of the text of the Declaration;

**also calls upon** Parliament and the Government to press the institutions of the European Union (Nobel Peace Prize winner in 2012) and the Governments of the Member States to adopt a common position in line with the values declared in the Lisbon Treaty and the EU Charter of Fundamental Rights, and to make active and constructive contributions to the drafting of the Declaration on the Right to Peace;

**invites** the Human Rights Commission of the Senate and Chamber of Deputies to organise a public hearing on the current debate over the recognition of the right to peace and to request the Government to report to Parliament;

**supports** and commits itself to active participation in the international campaign for the recognition of the human right to peace promoted by the Italian Coordination of Local Authorities for Peace and Human Rights, by the University Human Rights Centre and the UNESCO Chair in Human Rights, Democracy and Peace at the University of Padua and by the Network of the Perugia-Assisi Peace March.