

## Right to Peace: A Long Standard Setting Process

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The standard setting process of the emerging right to peace is a long-lasting endeavour that finds its roots in the Charter of the United Nations and the Universal Declaration of Human Rights. This contribution intends to provide an overview of this process, as well as of the different approaches to the «right to peace» that developed in the international community since 1945. This will be done by means of a survey of hard- and soft-law instruments, reports and statements adopted mainly by the UN and UNESCO, as well as by regional organisations, international parliamentary institutions, local governments and civil society organisations. While the specific content of some of these instruments is dealt with in depth by other contributors to this special issue, the aim here is to provide an account of the existing «streams» concurring to give substance to the emerging right to peace. These streams are expected to find their comprehensive systematisation in the draft Declaration on the Right to Peace, currently debated at the UN Human Rights Council.

The survey of 110 international documents<sup>1</sup> has revealed that, over time, at least 9 different (though interrelated) approaches to the right to peace can be identified:

1. as a *purpose and aspiration* (Charter of the United Nations; founding treaties and documents of universal and regional organisations);
2. as a *collective security system* (Charter of the United Nations; UN General Assembly Resolutions *Uniting for Peace*, *Peace through Deeds* and *Condemnation of Propaganda against Peace*);
3. as a *social and international order* (Universal Declaration of Human Rights; Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms);

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<sup>1</sup> A full list of the primary sources consulted is included at the end of the article.

4. as *the right to life in peace* (Declaration on the Preparation of Societies for Life in Peace);
5. as a *peoples' right* (Declaration on the Right of Peoples to Peace; African Charter on Human and Peoples' Rights);
6. as *culture of peace* (UNESCO Declaration and Integrated Framework of Action on Education for Peace, Human Rights and Democracy; UN Declaration and Programme of Action on a Culture of Peace);
7. as a *vital requirement for the full enjoyment of human rights* (Declaration on the Right of Peoples to Peace; UN General Assembly Resolution *Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All*);
8. as a *solidarity right*;
9. as an *individual (and collective) human right* (draft UN Declaration on the Right to Peace).

It goes without saying that it is not always possible either to draw an unambiguous dividing line between the different approaches to the human right to peace, or to follow a strict chronological order in presenting them. Indeed, the development of the human right to peace somewhat follows an incremental path: the most recent documents often draw on previous approaches, while stressing at the same time new dimensions of this right. Although it is by no means a linear process, still it is possible to observe a sort of evolution from well-established, widely-accepted and mainly «political» approaches (peace as a purpose, a collective security system and a culture of peace) to more all-encompassing and more «legal» (but also more contentious<sup>2</sup>) ones, i.e. those where peace is conceived as a right (either as a right to life in peace, a peoples' right or a human right), and, consequently, as a *duty* for every state.

<sup>2</sup> This is evident, for instance, by observing the voting records of General Assembly's declarations and resolutions. As shown below in this article, those dealing with «peace and security» and «culture of peace» are generally adopted either without a vote or by large majorities; this is not the case for those instruments aiming at promoting peace as a peoples' right (and as a states' duty), usually adopted by narrower majorities.

<sup>3</sup> *General Treaty for Renunciation of War as an Instrument of National Policy*, signed at Paris by the United States, France and Germany on 27 August 1928, and by other states soon after.

## 1. The Roots of the Human Right to Peace and Early Attempts to Give This Right a Formal Content

The first legal document in history to condemn recourse to war for the solution of international controversies, and to dismiss it as an instrument of national policy in states' relations with one another, is the 1928 Briand-Kellogg Pact<sup>3</sup>.

The emerging right to peace is deeply rooted both in the Charter

of the United Nations and in the Universal Declaration of Human Rights. The Preamble<sup>4</sup> and Article 1<sup>5</sup> of the Charter conceive peace mainly as a *collective security system*, whose maintenance represents the first *purpose* of the peoples of the UN. To achieve this aim, Article 55 declares that the organisation shall promote the universal respect for and observance of, human rights and fundamental freedoms, thus stressing, for the first time, the intimate linkage between human rights and peace. This linkage is reiterated in the Preamble of the Universal Declaration of Human Rights, recognising that the inherent dignity and the equal and inalienable rights of all members of the human family are the foundation of freedom, justice and peace in the world. Since the end of the 1940s, the UN General Assembly has striven for clarifying the formal content of the notion of right to peace. The Resolution *Essentials of Peace*, adopted by the General Assembly in 1949, after defining the UN Charter as the most solemn pact of peace in history, identifies the basic principles necessary for an enduring peace, such as refraining from threatening or using force contrary to the Charter; affording all United Nations bodies full cooperation; promoting full respect for the Universal Declaration of Human Rights; promoting efforts to achieve and sustain higher standards of living for all peoples; removing the barriers which deny to peoples the free exchange of information and ideas essential to international understanding and peace<sup>6</sup>.

The right to peace is not yet formally recognised as such in any UN human rights legal instrument. However, some of its constitutive elements are already set forth in the core international human rights treaties. Some examples:

- International Convention on the Elimination of All Forms of Racial Discrimination: its Preamble states in that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples;
- International Covenant on Civil and Political Rights: prohibition of any propaganda for war (Article 20)<sup>7</sup>;
- International Covenant on Economic, Social and Cultural Rights: right to education as a means to enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic

<sup>4</sup> The Preamble affirms that, to save succeeding generations from the scourge of war, the peoples of the United Nations are determined to practice tolerance and live together in peace with one another as good neighbours, as well as to maintain international peace and security.

<sup>5</sup> «The Purposes of the United Nations are: 1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace».

<sup>6</sup> General Assembly Resolution A/RES/290(IV), *Essentials of Peace*, 1949, adopted without a vote.

<sup>7</sup> See also the Human Rights Committee's General Comments no. 6, where the Committee emphasises the relationship between the right to life, prevention of war and the prohibition of propaganda for war, including the proliferation of nuclear weapons; and no. 14, where it draws a clear link between the prohibition of war and the right to life.

or religious groups, and further the activities of the United Nations for the maintenance of peace (Article 13);

– Convention on the Elimination of All Forms of Discrimination against Women: its Preamble states that the full and complete development of a country, the welfare of the world and the cause of peace requires the maximum participation of women on equal terms with men in all fields;

– Convention on the Rights of the Child: principle of the best interest of the child (Article 3), right to education (Article 28), as well as its Optional Protocol on the involvement of children in armed conflict.

## 2. Peace as a Purpose and Aspiration

This approach is developed mainly by the founding treaties and documents of several international (universal) and regional organisations, all over the world. Just to mention a few examples, at the international level, in addition to the UN Charter, both the ILO (Preamble) and UNESCO (Preamble and Article 1) constitutions mention, among their aims, that of contributing to lasting peace and security.

Similarly, at the regional level, the ideal and aspiration of promoting peace is at the heart of the mandate of many organisations, including the Council of Europe<sup>8</sup>, European Union<sup>9</sup> and OSCE<sup>10</sup> in Europe; the Organisation of American States<sup>11</sup> and Central American Integration System<sup>12</sup> in the Americas; the ASEAN<sup>13</sup>; the African Union<sup>14</sup>, SADC<sup>15</sup>, ECOWAS<sup>16</sup> and East African Community<sup>17</sup> in Africa.

## 3. Peace as a Collective Security System

During its fifth session (1950), the General Assembly adopted three resolutions that set out the main pillars of its approach to peace as a collective security system. These are: 1. the centrality of the UN in the preservation of an international (multilateral) peace and security system (Resolution *Uniting for Peace*); 2. disarmament (Resolution *Peace through Deeds*); 3. condemnation of propaganda against peace (Resolution *Condemnation of Propaganda against Peace*).

<sup>8</sup> Statute of the Council of Europe (1949), Preamble.

<sup>9</sup> Treaty establishing the European Coal and Steel Community (1951), Preamble; Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community (2007), Article 2.

<sup>10</sup> Conference on Security and Co-Operation in Europe Final Act (Helsinki, 1975), Preamble and Article 5.

<sup>11</sup> Charter of the Organisation of American States (1948), Article 2.

<sup>12</sup> Tegucigalpa Protocol to the Charter of the Organisation of Central American States (1991), Article 3.

<sup>13</sup> Charter of the Association of Southeast Asian Nations (2007), Article 1.

<sup>14</sup> Constitutive Act of the African Union (2000), Article 3.

<sup>15</sup> Southern African Development Community Treaty (1992), Article 5.

<sup>16</sup> Economic Community of West African States Revised Treaty (1993), Articles 4 and 58.

<sup>17</sup> Treaty establishing the East African Community (1999), Preamble, Articles 5 and 6.

<sup>18</sup> General Assembly Resolution A/RES/377(V), *Uniting for Peace*, 1950.

<sup>19</sup> See, in particular, Chapter III, *Peace and Collective Security*.

<sup>20</sup> See, *inter alia*: *Strengthening of the Role of the United Nations with Regard to the Maintenance and Consolidation of International Peace and Security*, the *Development of Cooperation among All Nations and the Promotion of the Rules of International Law in Relations Between States* (A/RES/2925(XXVII), 1972); *Implementation of the Collective Security Provisions of the Charter of the United Nations for the Maintenance of International Peace and Security* (A/RES/37/109, 1982); *Establishment of a Comprehensive System of International Peace and Security* (A/RES/41/92, 1986); *Comprehensive Approach to Strengthening International Peace and Security in Accordance with the Charter of the United Nations* (A/RES/43/89, 1988); *Enhancing International Peace, Security and International Co-operation in All Its Aspects in Accordance with the Charter of the United Nations* (A/RES/44/21, 1989); *Reaffirming the Central Role of the United Nations in the Maintenance of International Peace and Security and the Promotion of International Cooperation* (A/RES/58/317, 2004).

<sup>21</sup> General Assembly Resolution A/RES/380(V), *Peace through Deeds*, 1950. Voting summary: Yes: 50, No: 5, Abstentions: 1, Non-voting: 4, Total voting membership: 60.

<sup>22</sup> For a list of the multilateral treaties on disarmament deposited with the United Nations Secretary-General, see *United Nations Treaty Collection*, Chapter XXVI, available at <https://treaties.un.org>.

<sup>23</sup> This Resolution has been reiterated in 1971 (A/RES/2831(XXVI)), 1973 (A/RES/3075(XXVIII)), 1975 (A/RES/3462(XXX)), 1977 (A/RES/32/75), 1980 (A/RES/35/141), 1982 (A/RES/37/70) and 1985 (A/RES/40/150).

As to the first pillar, the Resolution *Uniting for Peace Clarifies, inter alia*, the duties and responsibilities of the Security Council, the General Assembly and member states in assuring a full and consistent implementation of the UN Charter<sup>18</sup>. Over time, the centrality of the UN in the promotion of an international peaceful system has been reaffirmed by the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (A/RES/2625(XXV), 1970); the Declaration on the Prevention and Removal of Disputes and Situations which May Threaten International Peace and Security and on the Role of the United Nations in this Field (A/RES/43/51, 1988); the 2005 World Summit Outcome (A/RES/60/1)<sup>19</sup>; the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (A/RES/67/1, 2012) as well as by many other General Assembly's resolutions<sup>20</sup>. As to the second pillar, the Resolution *Peace through Deeds* determines that, for the realisation of lasting peace and security, it is indispensable that every nation agree: (a) to accept effective international control of atomic energy, under the United Nations; (b) to strive for the control and elimination, under the United Nations, of all weapons of mass destruction; (c) to regulate all armaments and armed forces under a United Nations system of control and inspection, with a view to their gradual reduction; (d) to reduce to a minimum the diversion for armaments of its human and economic resources and to strive towards the development of such resources for the general welfare<sup>21</sup>. This dimension of the right to peace, beyond constituting a specific subject of international law<sup>22</sup>, has been reaffirmed by the General Assembly through its Resolution *Economic and Social Consequences of the Armaments Race and Its Extremely Harmful Effects on World Peace and Security* (A/RES/2667(XXV), 1970)<sup>23</sup>. Particularly worth mentioning is also the Declaration on the Right to Development that, after stressing in its Preamble that international peace and security are essential elements for the realisation of the right to development, urges all states to promote the establishment, maintenance and strengthening of international peace and security and, to that end, to do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament

measures are used for comprehensive development, in particular that of the developing countries<sup>24</sup>.

Finally, the Resolution on the condemnation of propaganda against peace declares that such propaganda includes: (1) incitement to conflicts or acts of aggression; (2) measures tending to isolate the peoples from any contact with the outside world, by preventing the press, radio and other media of communication from reporting international events, and thus hindering mutual comprehension and understanding between peoples<sup>25</sup>. The main legal binding instrument echoing such a condemnation is the 1966 International Covenant on Civil and Political Rights (Article 20).

### 3. Peace as a Social and International Order

Article 28 of the Universal Declaration of Human Rights introduces the approach to peace as a social and international order in which all the human rights and fundamental freedoms can be fully realised. According to Papisca, the meaning of Article 28 is that all human beings have the right to peace, that is both «domestic» (social) and «international» (among states and peoples), whose dynamic can be summarised in the aphorism «*si vis pacem, para pacem*»<sup>26</sup>. Moreover, Article 28 would also reflect the need to actively restructure society, at the national and international levels, in such a way that the equality and dignity of the human being can be transformed from rhetoric to reality<sup>27</sup>. There is not a single actor who is responsible for promoting such a social and international order, but it is a responsibility that is shared, as appropriate, by individuals, groups, institutions and non-governmental organisations<sup>28</sup>.

The interlinkage peace-human rights has been reaffirmed, from time to time, by the UN General Assembly. Just a few examples. The 2005 World Summit Outcome acknowledges that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and that development, peace and security and human rights are interlinked and mutually reinforcing<sup>29</sup>. The same wording is also used in the preambular paragraph 6 of the Resolution 60/251 (2006), establishing the Human Rights Council.

<sup>24</sup> Declaration on the Right to Development (A/RES/41/128), 1986, Article 7.

<sup>25</sup> General Assembly Resolution A/RES/381(V), *Condemnation of Propaganda against Peace*, 1950. Voting summary: Yes: 49, No: 0, Abstentions: 7, Non-voting: 4, Total voting membership: 60.

<sup>26</sup> A. Papisca, *La pace come diritto umano: vox populi, ma non ancora dell'UNESCO*, in «Pace diritti umani / Peace human rights», no. 2, May-August 2005, p. 8.

<sup>27</sup> A. Eide, *Article 28*, in A. Eide et al., *The Universal Declaration of Human Rights. A Commentary*, Oslo, Scandinavian University Press, 1993, p. 439.

<sup>28</sup> Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, Article 18.

<sup>29</sup> Equally significant are paras. 12, 14 and 24(b).

More recently, the UN Independent Expert on the promotion of a democratic and equitable international order, Alfred-Maurice de Zayas, in his reports to the Human Rights Council and General Assembly, identifies numerous obstacles to the achievement of this order, and explores processes to overcome them. According to his view, promising initiatives include proposals to enhance participation of states and civil society in global decision-making through United Nations reform, a World Parliamentary Assembly, the strengthening of enforcement mechanisms, the establishment of a World Court of Human Rights, as well as the recognition of peace not only as a principle but as a human right<sup>30</sup>.

#### 4. Peace as the Right to Life in Peace

An important step in the path towards the acknowledgment of peace as an autonomous right is represented by the Declaration on the Preparation of Societies for Life in Peace, adopted by the General Assembly on 15 December 1978<sup>31</sup>. The Declaration had been prepared by a resolution adopted in 1976 by the UN Commission on Human Rights, stating that everyone has the right to live in conditions of international peace and security and fully to enjoy economic, social and cultural rights and civil and political rights<sup>32</sup>.

The Declaration proclaims two basic principles and a set of duties upon states. The principles are: 1. every nation and every human being has the inherent right to life in peace (thus, the right to life in peace has a «dual ownership»: individual and collective); 2. a war of aggression, its planning, preparation or initiation are crimes against peace and are prohibited by international law.

As a consequence, states have the following duties: (a) to refrain from propaganda for wars of aggression; (b) to promote all-round, mutually advantageous and equitable political, economic, social and cultural co-operation with other states; (c) to respect the right of all peoples to self-determination; (d) to promote efforts towards general and complete disarmament, under effective international control; (e) to discourage all manifestations and practices of colonialism, as well as racism, racial discrimination and apartheid; (f) to discourage advocacy

<sup>30</sup> See, in particular, the 2013 reports to the Human Rights Council (A/HRC/24/38) and the General Assembly (A/68/284).

<sup>31</sup> Declaration on the Preparation of Societies for Life in Peace (A/RES/33/73), 1978. Voting summary: Yes: 139, No: 0, Abstentions: 2 (Israel and United States of America), Non-voting: 9, Total voting membership: 150.

<sup>32</sup> Commission on Human Rights Resolution E/CN.4/RES/5(XXXII), *Further Promotion and Encouragement of Human Rights and Fundamental Freedoms, Including the Question of a Long-term Programme of Work of the Commission*, 1976. Voting summary: 22 in favour, 7 against and 1 abstention.

of hatred and prejudice against other peoples as contrary to the principles of peaceful coexistence and friendly cooperation.

The purposes and principles enshrined in this Declaration have been subsequently reaffirmed by four resolutions adopted by the General Assembly, respectively in 1984<sup>33</sup>, 1987<sup>34</sup>, 1988<sup>35</sup> and 1990<sup>36</sup>. Moreover, also the Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in 2007, proclaims that indigenous peoples have the collective right to live in freedom, peace and security<sup>37</sup>.

## 5. Peace as a Peoples' Right

Since the 1978 Declaration on the Preparation of Societies for Life in Peace, the emphasis on states' duties has become an increasingly important element in the elaboration of the right to peace.

Indeed, the Declaration on the Right of Peoples to Peace, adopted by the General Assembly in 1984<sup>38</sup>, after solemnly proclaiming that the peoples of our planet have a «sacred right» to peace, affirms that the preservation of this right constitutes a «fundamental obligation» of each state. In order to respect this duty, states have to direct their policies towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use of force in international relations and the settlement of international disputes by peaceful means, on the basis of the Charter of the United Nations.

The importance and validity of this Declaration have been subsequently reaffirmed by the General Assembly in 1985<sup>39</sup>, 1986<sup>40</sup>, 1988<sup>41</sup>, 1990<sup>42</sup> and 2002<sup>43</sup>. It is worth noting that the 1985 Resolution on the Right of Peoples to peace declares in its Preamble that peace is an inalienable right of «every human being»: it is the only General Assembly's instrument dealing with peace also as an individual (and not only peoples') right.

If in the UN system the people's right to peace is recognised only in soft law instruments, in the African regional system it has acquired a binding force. The African Charter on Human and Peoples' Rights, adopted by the African Union in 1981 and came into force in 1986, asserts that all peoples have the right to national and international peace and security (Article 23). Moreover, the 2003 Protocol to the African Charter on Human

<sup>33</sup> General Assembly Resolution A/RES/39/157, *Implementation of the Declaration on the Preparation of Societies for Life in Peace*, 1984.

<sup>34</sup> General Assembly Resolution A/RES/42/91, *Implementation of the Declaration on the Preparation of Societies for Life in Peace*, 1987.

<sup>35</sup> General Assembly Resolution A/RES/43/87, *Tenth Anniversary of the Adoption of the Declaration on the Preparation of Societies for Life in Peace*, 1988.

<sup>36</sup> General Assembly Resolution A/RES/45/81, *Implementation of the Declaration on the Preparation of Societies for Life in Peace*, 1990.

<sup>37</sup> Declaration on the Rights of Indigenous Peoples (A/RES/61/295), 2007, Article 7.

<sup>38</sup> Declaration on the Right of Peoples to Peace (A/RES/39/11), 1984. Voting summary: Yes: 92, No: 0, Abstentions: 34, Non-voting: 33, Total voting membership: 159.

<sup>39</sup> General Assembly Resolution A/RES/40/11, *Right of Peoples to Peace*, 1985. Voting summary: Yes: 109, No: 0, Abstentions: 29, Non-voting: 21, Total voting membership: 159.

<sup>40</sup> General Assembly Resolution A/RES/41/10, *Right of Peoples to Peace*, 1986. Voting summary: Yes: 104, No: 0, Abstentions: 33, Non-voting: 22, Total voting membership: 159.

<sup>41</sup> General Assembly Resolution A/RES/43/22, *Right of Peoples to Peace*, 1988. Voting summary: Yes: 118, No: 0, Abstentions: 29, Non-voting: 12, Total voting membership: 159.

<sup>42</sup> General Assembly Resolution A/RES/45/14, *Implementation of the Declaration on the Right of Peoples to Peace*, 1990. Adopted without a vote.

<sup>43</sup> General Assembly Resolution A/RES/57/216, *Promotion of the Right of Peoples to Peace*, 2002. Voting summary: Yes: 116, No: 53, Abstentions: 14, Non-voting: 8, Total voting membership: 191.



and Peoples' Rights on the Rights of Women in Africa conceives the right to peace also as a specific women's right (Article 10).

## 6. Peace as Culture of Peace

Culture of peace is defined as a set of values, attitudes and behaviours that reflect and inspire social interaction and sharing based on the principles of freedom, justice and democracy, all human rights, tolerance and solidarity, that reject violence and endeavour to prevent conflicts by tackling their root causes to solve problems through dialogue and negotiation and that guarantee the full exercise of all rights and the means to participate fully in the development process of their society<sup>44</sup>. The «culture of peace» approach formally entered the General Assembly's agenda in the 1990s; however, its precursors can be found in several resolutions and declarations adopted since the 1950s, as well as in the work carried out by UNESCO.

The Preamble of UNESCO's Constitution, indeed, states that «a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind». As a result, the promotion of a culture of peace represents an essential element of UNESCO's mandate. Among the several soft law instruments adopted by the organisation in order to construct the defences of peace in the minds of men and women, the following ones are particularly worth mentioning: the Recommendation Concerning Education for International Understanding, Co-operation and Peace and Education Relating to Human Rights and Fundamental Freedoms (1974); the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War (1978); the Declaration and Integrated Framework of Action on Education for Peace, Human Rights and Democracy (1994).

During the 1990s, the promotion of a culture of peace spilled over from UNESCO to the UN General Assembly, mainly

<sup>44</sup> General Assembly Resolution A/RES/52/13, *Culture of Peace*, 1997, Preamble. Adopted without a vote.

thanks to the efforts of the UNESCO Secretary-General of the time, Federico Mayor. After promoting within UNESCO the transdisciplinary project «Towards a Culture of Peace» (1995)<sup>45</sup>, he dedicated himself to three initiatives to enhance the culture of peace at the General Assembly level<sup>46</sup>: a proposal for an International Year for the Culture of Peace (2000)<sup>47</sup>; an initiative of the Nobel Peace Laureates' «Campaign for the Children of the World», that finally became the International Decade for a Culture of Peace and Non-violence for the Children of the World (2001-2010)<sup>48</sup>; and a proposal for a UN Declaration and Programme of Action on a Culture of Peace, eventually adopted by the General Assembly in 1999<sup>49</sup>.

The Programme of Action is focused on eight action areas: 1. fostering a culture of peace through education; 2. promoting sustainable economic and social development; 3. promoting respect for all human rights; 4. ensuring equality between women and men; 5. fostering democratic participation; 6. advancing understanding, tolerance and solidarity; 7. supporting participatory communication and the free flow of information and knowledge; 8. promoting international peace and security.

As to the first action area, i.e. promoting a culture of peace and human rights through teaching and education, it is at the heart of the mandate of the UN: its roots can be found in the Universal Declaration of Human Rights (Preamble and Article 26), the International Covenant on Economic, Social and Cultural Rights (Article 13) and the Convention on the Rights of the Child (Article 28), and it represented a central element in the framework of United Nations Decade for Human Rights Education (1995-2004)<sup>50</sup>. More recently, the General Assembly reaffirmed its commitment in developing a universal culture of human rights and peace in the Declaration on Human Rights Education and Training<sup>51</sup>.

Also the advancement of understanding, tolerance and solidarity among peoples represents a traditional priority area for the UN. In the 1950s and 1960s, the main focus was on youth<sup>52</sup>; more recently it has expanded to include any form of intercultural and interreligious dialogue<sup>53</sup>.

Similarly, the General Assembly supports the participatory communication and the free flow of information and knowledge since the 1950s: in 1954, for instance, it called upon every nation to remove the barriers which deny to peoples the free

<sup>45</sup> Resolution 5.3 adopted by the UNESCO General Conference at its 28th session.

<sup>46</sup> D. Roche, *The Human Right to Peace*, in «Humanitas. The Bulletin of the Institute for the Humanities at Simon Fraser University», vol. 3, Spring 2004, p. 68, available at [www.sfu.ca/humanities-institute-old/archive/pubarch.htm](http://www.sfu.ca/humanities-institute-old/archive/pubarch.htm).

<sup>47</sup> General Assembly Resolution A/RES/52/15, *Proclamation of the Year 2000 as the International Year for the Culture of Peace*, 1997. Adopted without a vote.

<sup>48</sup> General Assembly Resolution A/RES/53/25, *International Decade for a Culture of Peace and Non-violence for the Children of the World (2001-2010)*, 1998. Adopted without a vote.

<sup>49</sup> Declaration and Programme of Action on a Culture of Peace (A/RES/53/243), 1999. Adopted without a vote.

<sup>50</sup> General Assembly Resolution A/RES/50/173, *United Nations Decade for Human Rights Education: Towards a Culture of Peace*, 1995. Adopted without a vote.

<sup>51</sup> Declaration on Human Rights Education and Training (A/RES/66/137), 2011, Preamble and Article 4. Adopted without a vote.

<sup>52</sup> See, for instance, the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples (A/RES/2037(XX)), 1965. Adopted without a vote.

<sup>53</sup> See, for instance, the General Assembly Resolution A/RES/61/221, *Promotion of Interreligious and Intercultural Dialogue, Understanding and Cooperation for Peace*, 2006.

<sup>54</sup> General Assembly Resolution A/RES/819(IX), *Strengthening of Peace through the Removal of Barriers to Free Exchange of Information and Ideas*, 1954.

<sup>55</sup> See, for instance, the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind (A/RES/3384(XXX)), 1975; or the General Assembly Resolution A/RES/43/61, *Science and Peace*, 1988.

<sup>56</sup> General Assembly Resolution A/RES/58/5, *Sport as a Means to Promote Education, Health, Development and Peace*, 2003.

<sup>57</sup> General Assembly Resolution A/RES/58/192, *Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All*, 2003. Voting summary: Yes: 119, No: 50, Abstentions: 9, Non-voting: 13, Total voting membership: 191.

<sup>58</sup> Commission on Human Rights Resolution E/CN.4/RES/2003/6, *Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All*, 2003. Voting summary: 33 in favour, 16 against and 4 abstentions.

<sup>59</sup> Its fourth preambular paragraph, for instance, affirms that life without war serves as the primary international prerequisite for the material well-being, development and progress of countries, and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations.

<sup>60</sup> General Assembly Resolution A/RES/60/163, *Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All*, 2005. Voting summary: Yes: 116, No: 53, Abstentions: 8, Non-voting: 14, Total voting membership: 191.

<sup>61</sup> General Assembly Resolution A/RES/62/163, *Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All*, 2007. Voting summary: Yes: 126, No: 54, Abstentions: 6, Non-voting: 6, Total voting membership: 192.

<sup>62</sup> General Assembly Resolution A/RES/65/222, *Promotion of Peace as a Vital Requirement for the Full*

exchange of information and ideas essential to international understanding and peace<sup>54</sup>.

Finally, additional action areas may be connected to the culture of peace approach, such as «science and peace»<sup>55</sup> and «sport and peace»<sup>56</sup>.

## 7. Peace as a Vital Requirement for the Full Enjoyment of Human Rights

This approach assumes that peace should be considered as an enabling right that empowers human beings to enjoy civil, political, economic, social and cultural rights. The cornerstone of this approach is the Resolution *Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All*, adopted by the UN General Assembly in 2003<sup>57</sup>. The Resolution is based, however, on the discussion carried out by the Commission on Human Rights<sup>58</sup> in the same year.

It is not an entirely original approach, since it basically reaffirms the principles, duties, and responsibilities already proclaimed in the Declaration on the Preparation of Societies for Life in Peace and the Declaration on the Right of Peoples to Peace<sup>59</sup>.

After recalling the obligation of all states to refrain in their international relations from the threat or use of force, as well as Article 28 of the Universal Declaration of Human Rights, the General Assembly stresses that peace is a vital requirement for the promotion and protection of all human rights for all, and that the preservation and promotion of peace constitute a fundamental obligation of each state. Accordingly, states have to direct their policies, on the one side, towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations; on the other side, towards the promotion of an international system based on respect for all human rights and fundamental freedoms, including the right to development and the right of peoples to self-determination.

These principles have been subsequently reaffirmed by the General Assembly in 2005<sup>60</sup>, 2007<sup>61</sup>, 2010<sup>62</sup> and 2012<sup>63</sup>.

## 8. Peace as a Solidarity Right

The existence of third-generation rights (or «solidarity rights») has been often debated since the 1970s and proposed, primarily by developing states, as an alleged new category of collective rights. The first attempt to formalise this approach at the UN level came from a UNESCO expert meeting on «Human Rights, Human Needs and the Establishment of a New International Economic Order» (Paris, 1978)<sup>64</sup>. Subsequently, this approach has been endorsed and better defined by the UN Independent Expert on Human Rights and International Solidarity, Rudi Muhammad Rizki, in his two reports to the Commission of Human Rights / Human Rights Council in 2006 (E/CN.4/2006/96) and 2007 (A/HRC/4/8).

According to the Independent Expert, in the context of international human rights law, the term «solidarity» is considered to have at least two different uses. First, it has been used in the sense of «solidarity rights», which refer to the third-generation rights that, by their nature and application, require international cooperation and joint activity to give them effect. Secondly, the term is used in the sense of a right to solidarity, a separate right in the category of third-generation rights. The category of third-generation rights includes the following: the right to economic and social development; the right to participate in and benefit from «the common heritage of mankind» (shared earth and space resources; scientific, technical, and other information and progress; and cultural traditions, sites and monuments); the right to peace; the right to a healthy and sustainable environment; the right to humanitarian assistance and disaster relief; and the right to communication.

A clear basis for a number of claims concerning solidarity rights is provided by Article 2, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, as well as by various milestone documents of the United Nations, including the United Nations Millennium Declaration (2000) and the World Summit Outcome (2005).

## 9. Peace as an Individual (and Collective) Human Right

Unlike the other approaches to the right to peace, the notion

*Enjoyment of All Human Rights by All*, 2010.

<sup>63</sup> General Assembly Resolution A/RES/67/173, *Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All*, 2012.

<sup>64</sup> See Doc. SS.78/Conf.630/2, especially paras. 218-242.

of peace as an autonomous human right has not yet found its formal recognition by the UN General Assembly. The main institutional settings where this latter approach has been (and is currently being) debated are UNESCO and the UN Human Rights Council.

In 1997, the UNESCO Secretary-General, Federico Mayor, prepared a declaration on the human right to peace, in which he emphasised that lasting peace is a prerequisite for the exercise of all human rights and duties, and that the right to live in peace should be added to the list of already recognised human rights. Subsequently, two meetings of experts on the human right to peace were organised in Las Palmas (23-25 February 1997) and Oslo (6-8 June 1997). The participants to the Oslo meeting, in particular, prepared a draft Declaration on the Human Right to Peace<sup>65</sup>, consisting in three articles: Article 1 proclaims peace as human right, which is inherent in the dignity of the human person; Article 2 conceives peace as a duty upon every human being, all states and other members of the international community and all peoples; Article 3 elaborates on the concept of peace through the culture of peace.

The Oslo draft Declaration was harshly debated during both the 29th session of the UNESCO General Conference (November 1997)<sup>66</sup> and an *ad hoc* international consultation of governmental experts (March 1998)<sup>67</sup>; however, achieving a consensus among member states on the concept of peace as a human right revealed a hardly surmountable task. The UNESCO Secretary-General decided not to go ahead with such a contentious issue, and, since the end of the 1990s, attention in UNESCO has shifted back from a «right» to peace to the «culture» of peace<sup>68</sup>.

More recently, the debate on the human right to peace has been revitalised in the UN Human Rights Council. After inviting the High Commissioner for Human Rights to convene an Expert Workshop on the Right of Peoples to Peace (2009)<sup>69</sup>, in 2010 the Council requested its Advisory Committee to prepare a draft Declaration on the Right of Peoples to Peace, in consultation with member states, civil society, academia and all relevant stakeholders<sup>70</sup>. During its work, despite the original mandate of the Human Rights Council that referred to «the right of peoples to peace», the Advisory Committee proposed a shift towards the term «right to peace», which was found to be more appropriate,

<sup>65</sup> The Oslo draft Declaration on the Human Right to Peace is contained in the Report by the Director-General on the Human Right to Peace to the 29th session of the UNESCO General Conference (Doc. 29 C/59, Annex II).

<sup>66</sup> Proceedings of the General Conference, Twenty-ninth Session, Paris, 21 October to 12 November 1997, vol. 3.

<sup>67</sup> Report by the Director-General on the Results of the International Consultation of Governmental Experts on the Human Right to Peace (154 EX/40).

<sup>68</sup> D. Roche, *The Human Right to Peace*, cit., pp. 71-72. A recent example in this sense is the UNESCO Programme of Action «Culture of Peace and Non-Violence. A Vision in Action» (2012).

<sup>69</sup> See the Report of the Office of the High Commissioner on the Outcome of the Expert Workshop on the Right of Peoples to Peace (A/HRC/14/38).

<sup>70</sup> Human Rights Council Resolution A/HRC/RES/14/3, *Promotion of the Right of Peoples to Peace*, 2010.

and includes both the individual and collective dimensions. Moreover, it proposed that peace should be conceived as «both the absence of organised violence within a country or between countries and the comprehensive and effective protection of human rights, gender equality and social justice, economic well-being and free and widespread expression of different cultural values, without discrimination or restraints»<sup>71</sup>.

In accordance with this conceptual framework, the Advisory Committee submitted in 2012 a first draft Declaration on the Right to Peace<sup>72</sup>. Article 1 declares that individuals and peoples have a right to peace, that is universal, indivisible, interdependent and interrelated. The principal duty-holders of the right to peace are states: these have to abide by the legal obligation to renounce the use or threat of use of force in international relations, and have to promote the establishment of peace in an international system based on respect for the principles enshrined in the UN Charter and the promotion of all human rights, including the right to development and the right of peoples to self-determination. However, it is also reminded that the effective and practical realisation of the right to peace demands activities and engagement beyond states and international organisations, requiring comprehensive, active contributions from civil society, in particular academia, the media and corporations, and the entire international community in general. The draft Declaration then refers to 11 core dimensions of the right to peace (some of which are particularly ground-breaking): human security, disarmament, peace education and training, right to conscientious objection to military service, private military and security companies, resistance and opposition to oppression, peacekeeping, right to development, environment, rights of victims and vulnerable groups, refugees and migrants.

On the basis of this draft, the Human Rights Council decided, during its 20th session, to establish an open-ended inter-governmental working group with the mandate of progressively negotiating a draft United Nations Declaration on the Right to Peace<sup>73</sup>. The working group held its first session in February 2013, confirming that substantial differences of views still remains among states as to the notion of human right to peace<sup>74</sup>; a second session is expected to be convened in 2014, before the twenty-fifth session of the Human Rights Council<sup>75</sup>.

<sup>71</sup> Progress Report of the Human Rights Council Advisory Committee on the Right of Peoples to Peace (A/HRC/17/39), 2011, para. 17.

<sup>72</sup> Report of the Human Rights Council Advisory Committee on the Right of Peoples to Peace (A/HRC/20/31), 2012, Annex.

<sup>73</sup> Human Rights Council Resolution A/HRC/RES/20/15, *Promotion of the Right to Peace*, 2012.

<sup>74</sup> Report of the Open-ended Inter-governmental Working Group on the Draft United Nations Declaration on the Right to Peace I session (A/HRC/WG.13/1/2), 2013.

<sup>75</sup> Human Rights Council Resolution A/HRC/RES/23/16, *Promotion of the Right to Peace*, 2013.

## 10. The Right to Peace as Developed by International Parliamentary Institutions, Civil Society and Local Governments

Parliamentarians, local governments and civil society organisations are fully involved in the global efforts aiming at acknowledging the human right to peace. Over time, these stakeholders have organised global campaigns, and adopted resolutions and declarations somehow anticipating the formal recognition of the human right to peace by States and international governmental organisations.

To begin with, references to the right to peace can be found in the documents approved by international parliamentary institutions. For instance, in 1998 the Inter-Parliamentary Union (IPU) adopted without a vote the Resolution *The Prevention of Conflicts and the Restoration of Peace and Trust in Countries Emerging from War; the Return of Refugees to Their Countries of Origin, the Strengthening of Democratic Processes and the Hastening of Reconstruction*: in its Preamble, after noting the importance of promoting all the components of a genuine culture of peace, the IPU expressed the hope for «full recognition of the right to peace which is inherent in every individual and every society and is the very foundation of such a culture». At the regional level, the Latin American Parliament adopted in 2009 the «Latin American Declaration of Human Rights», whose Article 1 proclaims the right to peace and non-violence<sup>76</sup>.

Promoting a culture of peace represents an essential activity of the United Cities and Local Governments (UCLG), as set forth by the Hague Agenda on City Diplomacy (2008)<sup>77</sup>. Moreover, in 2010 a Declaration on the Human Right to Peace has been adopted at the end of the 23rd General Assembly of the International Association of Peace Messenger Cities gathered in Morphou (Cyprus). The Declaration states that: (I) the human right to peace should be considered by the international community as an integral part of human rights and fundamental freedoms of all women and men; (II) the respect of the human right to peace is a fundamental prerequisite for the exercise of other human rights; (III) the right to truth, reparation and justice is a component of the human right to peace.

Finally, trans-national civil society networks have also recognised

<sup>76</sup> Latin American Parliament, *Declaración Latinoamericana de Derechos Humanos*, XXV ordinary session, December 2009.

<sup>77</sup> Article 4 of the Hague Agenda on City Diplomacy describes the culture of peace as having two dimensions: raising awareness of citizens for the importance of peace-building in conflict situations and promoting human rights and harmonious relationships within the municipality's own community.

the existence of a right to peace in several documents endorsed by hundreds of non-governmental organisations. In 1998, more than 200 Asian non-governmental organisations drafted the Asian Human Rights Charter: Article 4 asserts that all persons have the right to live in peace so that they can fully develop all their capacities, physical, intellectual, moral and spiritual, without being the target of any kind of violence. In 2006, the Spanish Society for the Advancement of International Human Rights Law adopted the Luarca Declaration on the Human Right to Peace, and launched, at the same time, a four-year world campaign in order to collect inputs from all regions in the world on possible elements of the human right to peace, as well as on duties and obligations it entails. The campaign eventually led to the adoption in 2010 of the Santiago Declaration on the Human Right to Peace. As emphasised by the UN Human Rights Council Advisory Committee, this Declaration is particularly noteworthy in its effort to seek universal values by drawing upon local and international law from Western and non-Western legal traditions<sup>78</sup>.

## **Standard Setting Process of the Right to Peace - Primary sources consulted -**

### **The Roots of the Human Rights to Peace**

- 1928 Briand-Kellogg Pact
- 1945 Charter of the United Nations
- 1948 Universal Declaration of Human Rights

### **United Nations Human Rights Treaties**

- 1965 International Convention on the Elimination of All Forms of Racial Discrimination
- 1966 International Covenant on Civil and Political Rights
- 1966 International Covenant on Economic, Social and Cultural Rights
- 1979 Convention on the Elimination of All Forms of Discrimination against Women
- 1989 Convention on the Rights of the Child
- 2000 Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

<sup>78</sup> Progress Report of the Human Rights Council Advisory Committee on the Right of Peoples to Peace (A/HRC/17/39), 2011, para. 12.



### **United Nations Declarations**

- 1965 Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding Between Peoples (A/RES/2037(XX))
- 1970 Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (A/RES/2625(XXV))
- 1975 Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind (A/RES/3384(XXX))
- 1978 Declaration on the Preparation of Societies for Life in Peace (A/RES/33/73)
- 1984 Declaration on the Right of Peoples to Peace (A/RES/39/11)
- 1986 Declaration on the Right to Development (A/RES/41/128)
- 1988 Declaration on the Prevention and Removal of Disputes and Situations which May Threaten International Peace and Security and on the Role of the United Nations in This Field (A/RES/43/51)
- 1998 Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (A/RES/53/144)
- 1999 Declaration and Programme of Action on a Culture of Peace (A/RES/53/243)
- 2000 United Nations Millennium Declaration (A/RES/55/2)
- 2007 Declaration on the Rights of Indigenous Peoples (A/RES/61/295)
- 2011 Declaration on Human Rights Education and Training (A/RES/66/137)

### **United Nations General Assembly Resolutions**

- 1947 Measures to Be Taken against Propaganda and the Inciters of a New War (A/RES/110(II))
- 1949 Essentials of Peace (A/RES/290(IV))
- 1950 Uniting for Peace (A/RES/377(V))
- 1950 Peace through Deeds (A/RES/380(V))
- 1950 Condemnation of Propaganda against Peace (A/RES/381(V))

- 1954 Strengthening of Peace through the Removal of Barriers to Free Exchange of Information and Ideas (A/RES/819(IX))
- 1960 Measures Designed to Promote among Youth the Ideals of Peace, Mutual Respect and Understanding between Peoples (A/RES/1572(XV)), reiterated in 1962 (A/RES/1842(XVII)) and 1963 (A/RES/1965(XVIII))
- 1970 Economic and Social Consequences of the Armaments Race and Its Extremely Harmful Effects on World Peace and Security (A/RES/2667(XXV)), reiterated in 1971 (A/RES/2831(XXVI)), 1973 (A/RES/3075(XXVIII)), 1975 (A/RES/3462(XXX)), 1977 (A/RES/32/75), 1980 (A/RES/35/141), 1982 (A/RES/37/70), 1985 (A/RES/40/150)
- 1971 Scientific Work on Peace Research (A/RES/2817(XXVI)), reiterated in 1973 (A/RES/3065(XXVIII))
- 1972 Implementation of the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples (A/RES/3023(XXVII))
- 1972 Strengthening of the Role of the United Nations with Regard to the Maintenance and Consolidation of International Peace and Security, the Development of Cooperation among All Nations and the Promotion of the Rules of International Law in Relations between States (A/RES/2925(XXVII)), reiterated in 1973 (A/RES/3073(XXVIII)), 1974 (A/RES/3282(XXIX))
- 1981 International Year of Peace and International Day of Peace (A/RES/36/67)
- 1982 International Year of Peace (A/RES/37/16), reiterated in 1983 (A/RES/38/56), 1984 (A/RES/39/10), 1985 (A/RES/40/3), 1986 (A/RES/41/9)
- 1982 Implementation of the Collective Security Provisions of the Charter of the United Nations for the Maintenance of International Peace and Security (A/RES/37/119), reiterated in 1984 (A/RES/39/158), 1985 (A/RES/40/159)
- 1984 Implementation of the Declaration on the Preparation of Societies for Life in Peace (A/RES/39/157), reiterated in 1987 (A/RES/42/91), 1990 (A/RES/45/81)
- 1985 Right of Peoples to Peace (A/RES/40/11), reiterated in 1986 (A/RES/41/10), 1988 (A/RES/43/22)

- 1985 Programme of the International Year of Peace (A/RES/40/10)
- 1986 Establishment of a Comprehensive System of International Peace and Security (A/RES/41/92), reiterated in 1987 (A/RES/42/93)
- 1987 Achievements of the International Year of Peace (A/RES/42/13), reiterated in 1989 (A/RES/44/11)
- 1988 Comprehensive Approach to Strengthening International Peace and Security in Accordance with the Charter of the United Nations (A/RES/43/89)
- 1988 Tenth Anniversary of the Adoption of the Declaration on the Preparation of Societies for Life in Peace (A/RES/43/87)
- 1988 Science and Peace (A/RES/43/61), reiterated in 1990 (A/RES/45/70)
- 1989 Enhancing International Peace, Security and International Co-operation in All Its Aspects in Accordance with the Charter of the United Nations (A/RES/44/21)
- 1990 Implementation of the Declaration on the Right of Peoples to Peace (A/RES/45/14)
- 1991 Programmes and Activities to Promote Peace in the World (A/RES/46/14)
- 1995 United Nations Decade for Human Rights Education: Towards a Culture of Peace (A/RES/50/173)
- 1996 Culture of Peace (A/RES/51/101), reiterated in 1997 (A/RES/52/13)
- 1997 Proclamation of the Year 2000 as the International Year for the Culture of Peace (A/RES/52/15)
- 1998 International Decade for a Culture of Peace and Non-Violence for the Children of the World (2001-2010) (A/RES/53/25), reiterated in 2000 (A/RES/55/47), 2001 (A/RES/56/5), 2002 (A/RES/57/6), 2003 (A/RES/58/11), 2004 (A/RES/59/143), 2006 (A/RES/61/45), 2007 (A/RES/62/89), 2008 (A/RES/63/113), 2009 (A/RES/64/80)
- 2001 International Day of Peace (A/RES/55/282)
- 2002 Promotion of the Right of Peoples to Peace (A/RES/57/216)
- 2003 Sport as a Means to Promote Education, Health, Development and Peace (A/RES/58/5), reiterated in 2004 (A/RES/59/10), 2005 (A/RES/60/9), 2006 (A/RES/61/10),

- 2007 (A/RES/62/271), 2008 (A/RES/63/135), 2010 (A/RES/65/4), 2012 (A/RES/67/17)
- 2003 Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All (A/RES/58/192), reiterated in 2005 (A/RES/60/163), 2007 (A/RES/62/163), 2010 (A/RES/65/222), 2012 (A/RES/67/173)
- 2004 Reaffirming the Central Role of the United Nations in the Maintenance of International Peace and Security and the Promotion of International Cooperation (A/RES/58/317)
- 2005 World Summit Outcome (A/RES/60/1): paras. 9, 12, 14, 24(b), parts III (Peace and Collective Security) and IV (Human Rights and the Rule of Law)
- 2006 Human Rights Council (A/RES/60/251)
- 2006 Promotion of Interreligious and Intercultural Dialogue, Understanding and Cooperation for Peace (A/RES/61/221), reiterated in 2007 (A/RES/62/90), 2008 (A/RES/63/22), 2009 (A/RES/64/81), 2010 (A/RES/65/138), 2011 (A/RES/66/226), 2012 (A/RES/67/104)
- 2010 Implementation of the Declaration and Programme of Action on a Culture of Peace (A/RES/65/11)
- 2011 Follow-up to the Declaration and Programme of Action on a Culture of Peace (A/RES/66/116), reiterated in 2012 (A/RES/67/106)
- 2012 Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (A/RES/67/1)

## UNESCO

- 1945 Constitution of the United Nations Educational, Scientific and Cultural Organisation
- 1974 Recommendation Concerning Education for International Understanding, Co-operation and Peace and Education Relating to Human Rights and Fundamental Freedoms
- 1978 Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War
- 1978 UNESCO Expert Meeting on «Human Rights, Human

- Needs and the Establishment of a New International Economic Order» (SS.78/Conf.630/2)
- 1994 Declaration and Integrated Framework of Action on Education for Peace, Human Rights and Democracy
- 1995 Transdisciplinary Project «Towards a Culture of Peace» (Resolution 5.3 adopted by the General Conference at its 28th session)
- 1997 The Human Right to Peace. Declaration by the Director-General Federico Mayor
- 1997 Report by the Director-General on the Human Right to Peace, containing the Oslo Declaration on the Human Right to Peace (29 C/59)
- 1997 Proceedings of the General Conference, Twenty-ninth Session, Paris, 21 October to 12 November, Vol. 3.
- 1997 Draft Declaration on the Human Right to Peace (29 C/Resolution 43 of the General Conference of UNESCO)
- 1998 International consultation of governmental experts on the human right to peace (SHS-8/CONF.201/3)
- 1998 Report by the Director-General on the Results of the International Consultation of Governmental Experts on the Human Right to Peace (154 EX/40)
- 2011 UNESCO Leaders' Forum: «How Does UNESCO to Building a Culture of Peace and to Sustainable Development?» Background Document (36 C/INF.15 and 36 C/INF.19).
- 2012 UNESCO's Programme of Action «Culture of Peace and Non-violence. A Vision in Action»

### **Commission on Human Rights / Human Rights Council**

- 1976 Further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission (E/CN.4/RES/5(XXXII))
- 2001 Final Report of the Expert Seminar on Human Rights and Peace (Geneva, 8-9 December 2000), E/CN.4/2001/120
- 2003 Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All (E/CN.4/RES/2003/6)
- 2008 Promotion on the Right of Peoples to Peace (A/HRC/RES/8/9)
- 2010 Report of the Office of the High Commissioner on

- the Outcome of the Expert Workshop on the Right of Peoples to Peace (A/HRC/14/38)
- 2010 Promotion of the Right of Peoples to Peace (A/HRC/RES/14/3)
- 2011 Progress Report of the Human Rights Council Advisory Committee on the Right of Peoples to Peace (A/HRC/17/39)
- 2011 Promotion of the Right of Peoples to Peace (A/HRC/RES/17/16)
- 2012 Report of the Human Rights Council Advisory Committee on the Right of Peoples to Peace (A/HRC/20/31)
- 2012 Promotion of the Right to Peace (A/HRC/RES/20/15)
- 2013 Report of the Open-ended Inter-governmental Working Group on the Draft United Nations Declaration on the Right to Peace I session (A/HRC/WG.13/1/2)
- 2013 Promotion of the Right to Peace (A/HRC/RES/23/16)

### **Special Procedures**

- 2006 Report of the Independent Expert on Human Rights and International Solidarity, Rudi Muhammad Rizki (E/CN.4/2006/96)
- 2007 Report of the Independent Expert on Human Rights and International Solidarity, Rudi Muhammad Rizki (A/HRC/4/8)
- 2013 Report of the Independent Expert on the Promotion of a Democratic and Equitable International Order, Alfred-Maurice de Zayas, to the HRC (A/HRC/24/38)
- 2013 Report of the Independent Expert on the Promotion of a Democratic and Equitable International Order, Alfred-Maurice de Zayas, to the GA (A/68/284)

### **Regional Level**

- 1948 Charter of the Organisation of American States
- 1949 Statute of the Council of Europe
- 1951 Treaty establishing the European Coal and Steel Community
- 1975 Conference on Security and Co-operation in Europe Final Act
- 1981 African Charter on Human and Peoples' Rights
- 1991 Tegucigalpa Protocol to the Charter of the Organisation of Central American States

- 1992 Southern African Development Community Treaty
- 1993 Economic Community of West African States Revised Treaty
- 1999 Treaty Establishing the East African Community
- 2000 Constitutive Act of the African Union
- 2003 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa
- 2007 Charter of the Association of Southeast Asian Nations
- 2007 Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community

### **International Parliamentary Institutions**

- 1998 Inter-Parliamentary Union: Resolution «The Prevention of Conflicts and the Restoration of Peace and Trust in Countries Emerging from War; the Return of Refugees to Their Countries of Origin, the Strengthening of Democratic Processes and the Hastening of Reconstruction», adopted at its 99th Conference
- 2009 Parlamento Latinoamericano: «Declaración Latinoamericana de Derechos Humanos», XXV Asamblea Ordinaria
- 2013 Parlamento Latinoamericano: «Resolución de la Corte Penal Internacional y Ratificación de las Enmiendas de Kampala», XXIX Asamblea Ordinaria

### **Local Governments**

- 2008 Hague Agenda on City Diplomacy
- 2010 Morphou Declaration on the Human Right to Peace (International Association of Peace Messenger Cities - IAPMC, 23rd General Assembly)

### **NGOs**

- 1998 Asian Human Rights Charter
- 2006 Luarca Declaration on the Human Right to Peace (Spanish Society for the Advancement of International Human Rights Law)
- 2010 Santiago Declaration on the Human Right to Peace (International Congress on the Human Right to Peace)