

2013  
pace diritti  
umani

Marsilio ■ Centro Diritti Umani Università di Padova

3-2-2-3

peace human rights  
special issue on the right to peace

# Pace diritti umani/Peace human rights

Rivista quadrimestrale

del Centro di Ateneo per i Diritti Umani  
dell'Università di Padova



con il contributo di  
Regione del Veneto



Cattedra UNESCO  
Diritti umani, democrazia e pace  
dell'Università di Padova

*Consiglio Direttivo del Centro di Ateneo per i Diritti Umani*

Marco Mascia  
Arrigo Opocher  
Vincenzo Pace  
Antonio Papisca  
Alessandro Pascolini  
Carlotta Sorba  
Alessio Vieno

*Segretaria di redazione*  
Cinzia Clemente

*Redazione*  
Centro di Ateneo per i Diritti Umani  
dell'Università di Padova  
via Martiri della Libertà, 2  
35137 Padova  
tel. 049.8271817; fax 049.8271816  
redazione@centrodirittiumpuni.it  
<http://unipd-centrodirittiumpuni.it>  
A questo indirizzo vanno inviati manoscritti, libri per  
recensioni e altre comunicazioni di carattere redazionale.

© 2014 by Marsilio Editori® s.p.a. in Venezia  
Prima edizione: maggio 2014  
ISBN 978-88-317-1928  
[www.marsilioeditori.it](http://www.marsilioeditori.it)

## Tariffe

un fascicolo € 28,00  
abbonamento annuo:  
per l'Italia, € 70,00  
per l'estero, € 120,00

## A chi rivolgersi

Per abbonarsi e per acquisire i singoli fascicoli rivolgersi a  
Marsilio Editori  
Marittima - Fabbricato 205  
30135 Venezia  
tel. 041.2406529; fax 041.5238352  
[n.dallari@marsilioeditori.it](mailto:n.dallari@marsilioeditori.it)  
[www.marsilioeditori.it](http://www.marsilioeditori.it)

## Modalità di pagamento

Gli abbonamenti possono essere sottoscritti tramite  
- versamento sul conto corrente postale n. 222307  
- pagamento con carta di credito (American Express/  
VisaEurocard/Mastercard/CartaSi)

## Decorrenza dell'abbonamento

Gli abbonamenti decorrono dal gennaio di ciascun anno.  
Chi si abbona durante l'anno riceve i numeri arretrati.

## Rinnovi

Gli abbonamenti non disdetti entro il 31 dicembre  
si intendono rinnovati per l'anno successivo.

Direttore responsabile: Antonio Papisca

Autorizzazione del Tribunale di Padova  
n. 1665 dell'11 ottobre 1999

*Cura redazionale e impaginazione*  
in.pagina s.r.l. - Mestre-Venezia

## **Pace diritti umani/Peace human rights**

Rivista quadrimestrale

Nuova serie, anno X, numero 2-3, maggio-dicembre 2013

Special issue on the right to peace

### Contents

- 7 Foreword
- 13 From a Culture of Conflict to a Culture of Peace,  
Human Rights and Development  
*Christian Guillermet Fernández, David Fernández Puyana*
- 41 The Right to Peace Takes Shape  
*Douglas Roche*
- 51 The Human Right to Peace:  
The Collective and Individual Dimensions  
*Wolfgang S. Heinz*
- 59 El Derecho a la Paz  
*Héctor Gros Espiell*
- 83 Right to Peace: A Long Standard Setting Process  
*Andrea Cofelice*
- 107 The Value of a Soft Law Approach on the Right to Peace  
*Claudia Pividori*
- 113 On the Relations Between Intercultural Dialogue  
and the Right to Peace: Some Reflections in the Light  
of the Draft UN Declaration  
*Pietro de Perini*
- 123 The Peace Human Rights Link in the Statutes  
of Local Governments: The Pioneering Example of Italy  
*Marco Mascia*
- 133 The Human Right to Peace Is Putting the Sincerity  
of the Peace-loving States to the Test  
*Antonio Papisca*

### DOCUMENTS

#### A) Draft United Nations Declaration on the Right to Peace

- 147 Human Rights Council Resolution «Promotion of the Right to Peace» (2012)
- 148 Draft Declaration on the Right to Peace (2012)
- 156 Bozza di Dichiarazione delle Nazioni Unite sul diritto alla pace (2012)

- B) General Instruments**
- 164 Charter of the United Nations (1945) (excerpts)
  - 166 Universal Declaration of Human Rights (1948) (excerpts)
  - 167 Constitution of the United Nations Educational, Scientific and Cultural Organization (1945) (excerpts)
  - 168 Briand-Kellogg Pact (1928)
- C) United Nations Human Rights Treaties**
- 168 International Covenant on Economic, Social and Cultural Rights (1966) (excerpts)
  - 169 International Covenant on Civil and Political Rights (1966) (excerpts)
  - 170 Convention on the Rights of the Child (1989) (excerpts)
  - 170 Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2000) (excerpts)
- D) United Nations Human Rights Declarations and Resolutions**
- 171 Declaration on the Preparation of Societies for Life in Peace (1978) (excerpts)
  - 173 Declaration on the Right of Peoples to Peace (1984)
  - 174 Declaration on the Right to Development (1986) (excerpts)
  - 176 Declaration on the Rights of Indigenous Peoples (2007) (excerpts)
  - 176 General Assembly Resolution «Promotion of Peace as a Vital Requirement for the Full Enjoyment of All Human Rights by All» (2003)
  - 178 Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (2012) (excerpts)
- E) Education and Culture of Peace**
- 179 United Nations Declaration on a Culture of Peace and Programme of Action (1999)
  - 187 United Nations Declaration on Human Rights Education and Training (2011) (excerpts)
  - 190 UNESCO 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)
- F) Contributions of Experts**
- 195 Final Report of the Expert Seminar on Human Rights and Peace, convened by the Office of the United Nations High Commissioner for Human Rights and UPEACE (2000)
  - 213 Report of the United Nations Independent Expert on the Promotion of a Democratic and Equitable International Order, Alfred-Maurice de Zayas (2013) (excerpts)
- G) Regional Organisations**
- 214 Charter of the Organization of American States (1948) (excerpts)
  - 217 African Charter on Human and Peoples' Rights (1981) (excerpts)
  - 217 Constitutive Act of the African Union (2000) (excerpts)
  - 218 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) (excerpts)
  - 218 Charter of the Association of Southeast Asian Nations (2007) (excerpts)
  - 219 Charter of Fundamental Rights of the European Union (2000) (excerpts)
  - 220 Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community (2007) (excerpts)
- H) Local Authorities and Civil Society**
- 220 Luarca Declaration on the Human Right to Peace (2006)
  - 229 The Hague Agenda on City Diplomacy (2008) (excerpts)
  - 232 Morphou Declaration on the Human Right to Peace (2010) (excerpts)
- I) The Italian Way to the Right to Peace**
- 233 Constitution of the Italian Republic (1948) (excerpts)
  - 233 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)
  - 233 Selected Examples of the Norms on Peace and Human Rights Included in the Statutes of Italian Municipalities
  - 235 Petitionary Motion for the International Recognition of Peace as a Human Right
- 238 Bibliography**
- 241 Abstracts**