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Joint written statement* submitted by the Associazione Comunita Papa Giovanni XXIII, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students), non- governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 August 2014]

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

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The Declaration of the Right to Peace

Associazione Comunità Papa Giovanni XXIII (APG23) and Pax Romana take note of the report of the Intergovernmental Working Group on Right to Peace delivered at the 27th regular session of the Human Rights Council.

APG23 and Pax Romana participated actively with written and oral contributions to the second session of the Intergovernmental Working Group on Right to Peace, and joined the voice of several other members of civil society by co-signing two oral statements delivered during the debate.

Since the first session of the Open Ended Intergovernmental Working Group, it had become clear the diversity of views and positions with regard to the right to peace and the reservations of States on the draft declaration prepared by the Advisory Committee. The chair, H.E Ambassador Guillermet-Fernandez of the Permanent Mission of Costa Rica, was given the mandate, after extensive consultations with Member States and other stakeholders, to provide a new and more concise text of the draft declaration to the second session of the Working Group. During the second session, the new draft text was examined at length with different and, sometimes, opposite views from Member States and civil society. At the end, the Chair-Rapporteur was entrusted by consensus, with the preparation of a revised text on the basis of the discussions held during the first and second sessions of the working group, as well as on the basis of informal consultations, and with the presentation of that text before the third session of the working group for consideration and further discussion thereat, in order to finalize the text of the declaration.

APG23 commends the efforts of the Chair to build consensus among Member States as a good will and commitment to protect and implement the right to peace on the ground, and to root the new draft text on the principles and purposes of the United Nations Charter and the International Bill of Human Rights. On the other hands, APG23 would like the new draft text of the declaration to be stronger and more meaningful.

Peace is a fundamental human right. All individuals and peoples have the right to live and develop in a social and international order in which all rights and fundamental freedoms universally recognised can be fully realised.

A draft Declaration on the right to peace should serve as a manifestation of renewed commitment and political will of all States to assume its human rights obligations, in particular the right to peace and fundamental freedoms of individuals and groups, especially in situations of war and armed conflict.

A draft declaration on the right to peace should build a new milestone in the existing International Legal framework to protect all the Rights inherent in all human beings, particularly the right to life and to live in Peace of all persons. It should be a complementary source to add values and bridge differences existing in the two bodies of law—international human rights law and international humanitarian law— as they are complementary and mutually reinforcing in order to meet human rights obligations to improve effective protection of inherent rights of all human beings, especially civilians and vulnerable populations such as women and children in times of war and in situations of armed conflict.

A declaration of the right of individuals and peoples to peace should be advancement for humanity and have the added value of locating peace in the domain of human rights too, connecting it to the right to life. It should reaffirm the interconnection and mutual reinforcement of the three pillars of the United Nations Charter (Peace and security, human rights and development) and emphasize that peace is a precondition for the realisation of all the other human rights as well as the violation of human rights is a threat to peace.

APG23 welcomes the reference in the new draft text to the Declaration and Programme of Action on a Culture of Peace, to the friendly relations among nations and the principles of human dignity and of equal rights and self-determination of peoples. It also acknowledges the inclusion of some points raised by the civil society during the informal consultations.

On the other hands, taking into account that the right of individuals, States and all man kind to life in peace has been

already reaffirmed in the preamble of GA resolution 33/73 (Declaration on the preparation of Societies for Life in Peace), the right of individuals and peoples to Peace should be spelt out more clearly, both in the title and in the text of the new draft declaration.

In this regard, APG23 proposes that article 1 of the operational part of the draft text will say clearly that: “Everyone is entitled to the promotion, protection and respect for all human rights and fundamental freedoms, in particular the right to live and develop peacefully in a social and international order in which the right to life and the other human rights can be fully realised”.

Moreover, peace is not only the absence of war, but also a positive process that is intrinsically linked to development and economic/social justice. In this regard, there are three necessary and mutual reinforcing pillars to be planted: a just economy oriented to the common good, prevention and solution of conflicts with nonviolent means and education and formation to human rights and peace.

Consequently, article two of the new draft text should include the following:

1. States have the duty to refrain from propaganda for war, bearing in mind that such propaganda should be prohibited by law (ICCPR art. 20).
2. States should commit in a joint and coordinated manner towards further disarmament and reduce military spending in favour of social and development policies.
3. States and other stakeholders should respect fully the right to freedom of thought, conscience and religion from which conscientious objection derives.
4. States should adopt dialogue, negotiation and other non-violent means to prevent and solve conflicts.
5. States should develop education programmes on human rights, peace education and nonviolent methods to solve conflicts.

As a member of civil society, APG23 has the duty to raise the voice of the people of the world who are victims of armed conflict, who are subjected to direct, structural and cultural violence, and whose human rights must be respected and protected.

The escalation of war and violence in the Middle East, the persecution by ISIS¹ of thousands of innocent people because of their religious belief in Iraq, the actual bombing by Israel and throwing of missiles by Hamas in the Gaza strip with the killing of so many civilians, are all facts that show how there is need for the humanity to declare the human right to peace.

The declaration of the right of individuals and peoples to Peace may contribute to the promotion of a new model of defence and security with non-violent means to ensure global peace.

APG23 appeals all Member States to show the political will and to take responsibilities by making this declaration not just a step but also a quantum leap forward.

¹ ISIS stands for Islamic State of Iraq and the Levant (Syria)