

The Human Right to Peace

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Address to Liu Institute for Global Issues

Host: The Simons Centre for Peace & Disarmament
Studies

Vancouver, April 2, 2003

This text is adapted from Senator Roche's new book, "The Human Right to Peace" (Novalis, 2003) Not to be published without permission of the author.

The work already accomplished in the United Nations system to develop the concept of the human right to peace is one of the world's best kept secrets. The culture of war so pervades public opinion that it has drowned out voices asserting that the human right to peace is a fundamental right of every human being and is, in fact, the major precondition for all human rights. The time has come to emphasize that the peoples of the world have a sacred right to peace.

That very sentence – “the peoples of our planet have a sacred right to peace” – was inserted into the first operative paragraph in the Declaration on the Right of Peoples to Peace, adopted by the U.N. General Assembly November 12, 1984. One does not need to be reminded of the countless deaths in wars that have occurred in the almost two decades following it. Such a recounting does not invalidate the U.N. Declaration, it only underlines the point that this right needs to be better understood before procedures are developed to enforce it under the rule of law.

The intimate linkage between human rights and peace was first recognized in the Preamble and Articles 1 and 55 of the U.N. Charter, and Article 28 of the Universal Declaration of Human Rights, and the two Covenants on Civil and Political and Economic, Cultural and Social Rights. The Preamble to the Charter, in stirring language evoked by the ashes of

World War II, affirms that the peoples of the United Nations are determined “to practice tolerance and live together in peace with one another as good neighbours.” Article 1 proclaims as the first purpose of the U.N. the maintenance of international peace and security. Written a few years later, the Preamble to the Universal Declaration of Human Rights states, “The recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” These documents affirm the right of states to peace through a “peace system” with the primary goal being the preservation of peace and a respect for human rights as essential to the development of friendly relations among nations.

Taken together, these documents provide a basis for the human right to peace, but it was not until 1978, when the U.N. General Assembly adopted a Declaration on the Preparation of Societies for Life in Peace that the right to peace began to take shape in a more formal way. The Declaration states:

...every human being, regardless of race, conscience, language or sex, has the inherent right to life in peace. Respect for that right, as well as for the other human rights, is in the common interest of all mankind and an indispensable condition of advancement of all nations, large and small, in all fields.

In setting out how to implement this principle, the Declaration calls upon countries to ensure that their international and national policies are directed toward achieving life in peace, especially with regard to younger generations. This emphasis on national duty and youth would become the central elements in later elaborations of the right to peace.

Subsequently, the U.N. General Assembly adopted the Declaration on the Right of Peoples to Peace in 1984. After affirming the principle that *the peoples of our planet have a sacred right to peace*, the resolution declares that the preservation of the right of peoples to peace “constitute a fundamental obligation of each State.” The Declaration went on to state that the exercise of this right demands “the elimination of the threat of war,” particularly nuclear war.¹ Although the Declaration does not explicitly declare the right to peace as a “human” right, it can be argued that its intent was just that. This is clear in the assertion 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...

Here, the right to peace is considered the fundamental prerequisite for the fulfillment of other basic rights. For instance, the Declaration

¹ It was undoubtedly this reference to the elimination of the threat of nuclear war that caused multiple abstentions by Western states. Although the vote was 92 in favour and none opposed, there were 34 abstentions and the Declaration could not be implemented.

understands that economic development is only possible in the presence of peace. It links human rights, development and peace as three conditions that cannot exist in isolation from one another. Simply stated, without peace, every other right is illusory. Thus—and in retrospect—even in 1984, the U.N. was responding to a changing international environment with the kind of innovative thinking needed to lift up humanity to confront the challenges of globalization.

The Oslo Draft Declaration

Federico Mayor, former Director-General of UNESCO, led the way in an early attempt to codify the right to peace. He encouraged the Norwegian Institute of Human Rights in Oslo June 6-8, 1997, to prepare a draft Declaration for UNESCO's General Conference later that year (see box). The Declaration's aim was to broaden the human dimension of peace and divide the right into three interrelated components. The first defines peace as a human right, understanding that all human beings have a right to peace inherent to their humanity. War and violence of any kind, including insecurity, are considered "intrinsically incompatible" with the human right to peace. The section calls on states and members of the international community to ensure its implementation without discrimination.

Draft Oslo Declaration on the Human Right to Peace

Article 1: Peace as a human right

- Every human being has the right to peace, which is inherent in the dignity of the human person. War and all other armed conflicts, violence in all its forms and whatever its origin, and insecurity also, are intrinsically incompatible with the human right to peace;
- The human right to peace must be guaranteed, respected and implemented without any discrimination in either internal or international contexts by all states and other members of the international community;

Article 2: Peace as a duty

- Every human being, all states and other members of the international community and all peoples have the duty to contribute to the maintenance and construction of peace, and to the prevention of armed conflicts and of violence in all its forms. It is incumbent upon them notably to favour disarmament and to oppose by all legitimate means acts of aggression and systematic, massive and flagrant violations of human rights which constitute a threat to peace;
- As inequalities, exclusion and poverty can result in the disruption of peace both at the international level and internally, it is the duty of states to promote and encourage social justice both on their own territory and at the international level, in particular through an appropriate policy aimed at sustainable human development;

Article 3: Peace through the culture of peace

- The culture of peace, whose aim is to build the defences of peace in the minds of human beings every day through education, science and communication, must constitute the means of achieving the global implementation of the human right to peace;
- The culture of peace requires recognition and respect for - and the daily practice of - a set of ethical values and democratic ideals which are based on the intellectual and moral solidarity of humanity.

The second section elaborates on this task by making it a “duty” for all global actors, including individuals, to “contribute to the maintenance

and construction of peace,” and to prevent armed conflicts and violence in all its manifestations.

The third section elaborates the “Culture of Peace”—the means by which the right to peace is to be achieved. The culture of peace is a strategy that seeks to root peace in peoples’ minds through education and communication and a set of ethical and democratic ideals.

In essence, the right to peace is built on a global ethic of non-violence and reverence for all life and offers a blueprint to identifying the roots of global problems and checking conflict at its early states. It is an attempt to move beyond the day-to-day crises that make the headline news and address their deep-seated causes.

The power of this draft declaration is in its challenge to the hypocrisy dominating the world order today, and it was here that the codification of the right to peace came to a halt. A remarkable debate on the Oslo Draft Declaration took place in UNESCO’s General Conference on November 6, 1997. One European country after another either attacked or expressed reservations about the right to peace and accused Mayor of over-stepping his mandate. Countries from the South struck back, accusing the North of wanting to protect their arms industries. At the end, Paraguay stated, “This rich discussion shows that the culture of peace is the central issue ... and

that the Human Right to Peace is needed for individuals and states.” Noting that the debate split North and South, Paraguay added, “Perhaps peace is a greater concern in the South where scarce resources are being diverted to war.”

Failing to achieve a consensus, Mayor did not press further with the issue. Skepticism about the human right to peace continued to echo for years after. In the informal discussions at the U.N. in 1999, concerning the Draft Declaration and Programme of Action on a Culture of Peace, the U.S. delegate stated, “Peace should not be elevated to the category of human right, otherwise it will be very difficult to start a war.” Whether this statement was intended or a malapropism, the delegate had put his finger precisely on why a human right to peace is needed.

Attention in UNESCO shifted back from a “right’ to peace to the “culture” of peace. This was easier to digest for those who did not want their “right” to make war impeded. Everyone, after all, could be for peace in general. UNESCO showed its wisdom by treading slowly and developing the concept of the culture of peace into a series of programs that would, at least in the minds of those who truly understood the dimensions of the culture of peace, prepare the groundwork for a later acceptance of the human right to peace.

UNESCO began to formulate a culture of peace as a set of ethical and aesthetic values, habits and customs, attitudes toward others, forms of behaviour and ways of life that draw on and express:

- Respect for life and for the dignity and human rights of individuals.
- Rejection of violence.
- Recognition of equal rights for men and women.
- Upholding of the principles of democracy, freedom, justice, solidarity, tolerance, the acceptance of differences, and
- understanding between nations and countries and between ethnic, religious, cultural and social groups.

A culture of peace is an approach to life that seeks to transform the cultural roots of war and violence into a culture where dialogue, respect, and fairness govern social relations. In this way, violence can be prevented through a more tolerant common global ethic. The culture of peace uses education as an essential tool in fostering attitudes supportive of nonviolence, cooperation and social justice. It promotes sustainable development for all, free human rights, and equality between men and women. It requires genuine democracy and the free flow of information. It leads to disarmament.

The contrasting alternatives between a culture of war and a culture of peace can be seen in this box:

CULTURE OF WAR	CULTURE OF PEACE
enemy images	understanding, tolerance and solidarity
armaments and armies	disarmament, general and complete
authoritarian governance	democratic participation
secrecy and propaganda	free flow of information and knowledge
violence (structural and physical)	respect for all human rights
male domination	equality between women and men
education for war	education for a culture of peace
exploitation of the weak and of the environment	sustainable economic and social development

This box enables us to see the scope of the vision offered by the culture of peace. It is, at its core, an ethical approach to life. It recognizes that the world is experiencing a fundamental crisis. Though this crisis is often expressed in economic, ecological or political terms, it is fundamentally a crisis of the human spirit. It is a crisis of all humanity which, in the journey through time, has reached the point where we are capable of destroying all life on earth just at the moment when the recognition of the inherent human rights of everyone is beginning to take

hold. A choice in how we will live, which path we will follow, is illuminated. The culture of peace offers the vision of a global ethic toward life in full vibrancy; the culture of war offers the prospect of misery and annihilation.