

The Right to Peace: A Political Approach

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Introduction

Great figures of Costa Rica inspire me as I look around these magnificent surroundings. I had the honour of knowing the visionary President of Costa Rica and founder of the University for Peace, Dr. Rodrigo Carazo. I have been influenced in my political life by Costa Rica's eminent President and Nobel Peace laureate Oscar Arias. And I cherish the memory of my friend, Robert Muller, the world-renowned peace advocate and former UPeace Chancellor.

On the occasion of the 50th anniversary of the United Nations, nearly a quarter of a century ago, I had the pleasure of spending a period of time in this beautiful UPeace location in a lengthy dialogue with Robert Muller. The result of that dialogue was a book, *Safe Passage Into the Twenty-first Century*, in which we discussed the U.N.'s quest for peace, equality, justice and development. In the book, we gave a framework for a global system to abolish war and establish a democratic United Nations, a global justice system, and a global human development system. This ambitious agenda requires a transformation in thinking to move the world from the old culture of war to a new culture of peace.

You, at the University for Peace, are developing that agenda and, as your distinguished rector, Dr. Francisco Rojas Aravena, recently told the U.N. General Assembly, education for nonviolence, social inclusion and the rule of law are essential to overcome cycles of conflict and violence. The global education provided here is a basis for hope in a world that often appears to be deteriorating into isolationism and militant nationalism. *Si vis pacem, para pacem.*

The University for Peace now has an even greater responsibility to educate for peace, since it was directly named in the historic Declaration on the Right to Peace, adopted in 2016 at the U.N. General Assembly. The Declaration, which sends a message to strengthen dialogue and cooperation among peoples and stamp out prejudice, fanaticism and racism, enjoins UPeace to “contribute to the great universal task of educating for peace by engaging in teaching, research, post-graduate training and dissemination of knowledge.”

Thus, the world needs to know more about the Declaration on the Right to Peace, for, sadly, confusion and resistance still surrounds the very word, “peace.” I approach this subject not as a scholar but as a politician deeply concerned about the practical aspects of building a global regime that will protect every human being from the ravages of violence of all kinds. My career has been dedicated to strengthening the institutions that prevent violence, and so, when the Declaration on the Right to Peace says, “Everyone has the right to enjoy peace such that all human rights are promoted and protected and development is fully realized,” I want to identify the steps to reach that goal.

A New Vision of Peace

The idea of a culture of peace to overcome – in a nonviolent way – the culture of war was first taken up at a conference of scholars in 1989 at Yamoussoukro, Ivory Coast. The scholars presented a “new vision of peace” constructed “by de-

veloping a peace culture based on the universal values of life, liberty, justice, solidarity, tolerance, human rights and equality between men and women.” UNESCO, then under the direction of Federico Mayor of Spain, began to formulate a culture of peace as a set of ethical and aesthetic values, habits and customs, attitudes towards others, and ways of life that draw on and express respect for life and the dignity and human rights of individuals and reject violence.

In 1997, Mayor proposed two strategies: first, immediate action on urgent issues such as poverty, environmental destruction and international justice through strengthening the U.N. system; and second, a massive education campaign focused on youth and designed to foster an understanding and tolerance of other cultures. The Norwegian Centre for Human Rights followed up with a document outlining peace as a human right, peace as a duty, and the development of peace through programs promoting a culture of peace. The right to peace came into better focus as a global ethic of nonviolence and reverence for life through identifying the roots of global problems and addressing conflicts early.

A remarkable debate then took place at UNESCO’s general conference in 1997. One European country after another either attacked or expressed reservations about the right to peace. Countries from the South struck back, accusing the North of wanting to protect their arms industries. Paraguay jabbed at the North: “Perhaps peace is a greater concern in the South, where scarce resources are being diverted to war.” Seeing that prospects for a consensus were hopeless, Mayor pulled back. During the next two years, the debate shifted to a somewhat less contentious topic: a culture of peace, which is not seen as a right, but as an approach to peace that seeks to transform the cultural tendencies towards 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. Mayor formulated a Declaration and Programme of Action on a Culture of Peace, and rounds of de-

bate at UNESCO followed. At one point, the U.S. delegate, probably unwittingly, put his finger precisely on why a human right to peace is needed: “Peace should not be elevated to the category of a human right, otherwise, it will be very difficult to start a war.”

This work led to the U.N. General Assembly’s adoption, in 1999, of a Declaration and Programme of Action on a Culture of Peace, regarded at the time as the most comprehensive program for peace ever taken up by the U.N. It set out a route to ending violence through education, dialogue and cooperation, commitment to peaceful settlement of conflicts, promotion of the right to development, equal rights and opportunities for women and men, and freedom of expression, opinion and information.

Led by the indomitable Anwarul Chowdhury, former Ambassador of Bangladesh, the U.N. advanced these ideas when it adopted an International Decade for a Culture of Peace and Nonviolence for the Children of the World, 2001–2010. The Year was launched with a media campaign in 100 countries, and the NGO-UNESCO Liaison Committee promoted partnership agreements with 180 international organizations, which carried out wide-ranging projects, including entertainment, workshops, sporting events, festivals and websites.

Hardly had the culture of peace programs started when they were derailed by the sudden terrorist attacks of 9/11. Overnight, there was a resurgence of militarism. The Afghanistan and Iraq wars, bombings, the spread of terrorism and the plight of refugees sapped international attention in the years following. Fear, not hope, has underlain government policies ever since. Western countries, never keen on a culture of peace because they saw it as undermining the public will to keep militaries strong, made sure UNESCO found other causes to champion. A culture of peace was relegated to the sidelines.

Some analysts have written that the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001, were the real opening of the 21st century, and that the “war on terror” defines how we will live as the century progresses. I disagree. It is true that a sense of fear pervaded the general populace, and security systems were upended to head off future attacks. There will always be individuals willing to give their lives to attack an enemy. But terrorism is an aberration, not a system of change in people’s lives and attitudes towards one another. Civil society groups by the thousands are not coalescing around terrorism. Rather, civil society groups now measured in millions are implementing – at ground level, in one way or another – the values of a culture of peace.

The nonviolence precepts of a culture of peace were applied to end long-standing wars in El Salvador, Mozambique, Colombia, South Sudan and Eritrea/Ethiopia, with varying degrees of success. Case studies of women’s peacebuilding experiences were undertaken in several African states, and a regional conference, Asian Women for a Culture of Peace, was organized in Vietnam. There are many examples, particularly in Latin America and Africa, of community groups applying culture of peace techniques to resolve conflicts.

This huge and often unsung movement, which rejects war, provides a transformative moment for humanity. It is still overshadowed by the immense news coverage the media gives the existing intra-state wars and other forms of strife. The movement to a culture of peace, however “soft” it may appear on the surface compared to the “hard” decisions of warfare still lingering in the militarists’ offices, could be the real power of the 21st century. The momentum of history, buttressed by new life-enhancing technologies, is on the side of the culture of peace.

Development of the Right to Peace

Is it possible – at least at this moment in history – to turn the culture of peace into the right to peace? Does it follow that, because all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, all people are entitled to the right to peace in order to enjoy their inherent human rights? That is the issue now on the global agenda.

In 2012, the U.N. Human Rights Council, which operates in Geneva, began a study of a draft declaration stating that all individuals have the right to live in peace so that they can develop fully all their capacities – physical, intellectual, moral and spiritual – without being the target of violence. An inter-governmental working group was set up, and it was here that the divisions over peace burst into the open. The draft text put a wide range of economic and social benefits under the umbrella of “peace.”

The U.S. delegation was forthright in its opposition: “We do not recognize the existence of a ‘right’ to peace.” The burden of the U.S. position is that, although the country is deeply concerned whenever conflict erupts and human rights are violated, the foundational documents of the U.N. have never defined peace as a right, but rather as a goal to be achieved through the full implementation of human rights; by drawing into the draft declaration a range of issues still being debated in diverse U.N. fora, and making them rights, the process confuses and endangers harmonious international progress.

A counter-argument is that human rights, peace and development are interdependent and need to be reinforced in their oneness and backed up by the U.N. Charter. However, the Charter (written in 1945 before the Universal Declaration of Human Rights in 1948) does not resolve the right to peace issue because the Charter, while prohibiting armed conflict against a state, allows the use of force in self-defence, at least until the Security Council takes action. In other words, the Charter is not definitive enough in banning war.

Just as it was necessary to go beyond the Charter in writing the Universal Declaration of Human Rights, the proponents of the right to peace claim it is now necessary to wrap the issues of peace and security, development and human rights into a single framework called “the right to peace.” Many states find this appealing because it reflects a holistic approach to peace. They take the view that without peace, it is not possible to realize all human rights, including the right to development. Some Western countries still vigorously reject this idea, holding the view that there is no legal basis for peace in international law and that it is impossible to find a common definition of peace grounded on human rights.

The Human Rights Council struggled for three years to find consensus on a draft declaration, the principal operative paragraph of which stated, “Everyone has the right to enjoy peace such that all human rights are promoted and protected and development is fully realized.” Although this sentence, itself a compromise obtained by Christian Guillermet-Fernandez, a Costa Rican diplomat, does not proclaim a “right to peace,” the sponsors of the resolution would not give up the title “Declaration on the Right to Peace.” There the issue was joined and a vote called. The resolution was adopted by the Human Rights Council, and the matter then went to the U.N. General Assembly, where, on December 19, 2016, the Declaration on the Right to Peace was adopted by a vote of 131 states in favour, 34 opposed and 19 abstentions.

The permanent members of the Security Council were deeply split: the United States, the United Kingdom and France voted no; Russia and China voted yes. NATO was also split: countries such as Canada, Germany and Spain voted no; Norway, Italy and Iceland were among the abstentions. The resolution carried because of the sweeping support it received in Latin America, Africa and Asia. Some 60 civil society organizations with consultative status at the U.N., led by the International Association of Democratic Lawyers, the *Comunità Papa Giovanni*

XXIII and the United Network of Young Peacebuilders, were strongly supportive. These groups sent an open letter to diplomats, affirming, “In today’s world, devastated by armed conflicts, hate and poverty, the recognition that everyone has ‘the right to enjoy peace,’ sends to humanity and future generations a much needed message of peace and hope.”

The opponents of a Declaration on the Right to Peace doubtless fear that it will pave the way for a future comprehensive law against warfare. That, of course, is exactly what the proponents want. But can such a lofty goal be reached without considerably more advancement in societal thinking? As a politician and activist, my immediate concern is building public opinion for extension of the present human rights agenda to include the primary issue of peace. I am not dismissing the fine points of law needed in any international agreement. But we stand a better chance of working out the law on the right to peace when the culture of peace plays a stronger role in our daily life.

The development of public opinion to a higher level in opposing war is a necessary basis for legal prohibition of warfare. Thus, for me, the Declaration has great political value in laying the basis for a more secure world. Fighting over the legality of the document at this stage may derail the long-range efforts needed to strengthen international law. In short, the new Declaration on the Right to Peace, non-binding as it is, can act as a catalyst in spurring the development of the components of the peace agenda. The Universal Declaration of Human Rights, though it was only a non-binding document at the beginning, gave birth to a range of covenants and treaties enlarging the implementation of human rights in many aspects as the years went by.

Attack on Global Rule of Law

Progress in achieving a Right to Peace depends, of course, on a rules-based order. But that order, envisioned by the U.N. Charter, seems to be giving way today to a new world of deep disarray. Global warming is heading to massive catastrophe. A new nuclear arms race is starting. Migrants and refugees are piling up by the millions. The International Criminal Court, the Iran Agreement and the Paris Accords are all being undermined. Protectionism, nationalism and populism are on the rise, at least to the extent where the viability of institutions upholding the rule of law are threatened.

Although the “death of multilateralism” has been greatly exaggerated, it is unquestionably being attacked by forces that stoke greed and fear in the political and economic systems. Only a few months ago, 35 small and medium-sized governments came together at the U.N., to express their alarm: “...We are witnessing an overfall erosion of the rules-based international order, which we have worked so hard to establish in the past decades...in the areas of trade, disarmament, climate change and indeed the rule of law and human rights.”

In this atmosphere, the culture of peace, let alone the right to peace, appears to be suffocating. But what cannot be suffocated is the conscience of humanity. A new global conscience is awakening humanity and leading us to new recognition of the implacable values of the common good. I fully support the expression of this conscience outlined by Pope Francis earlier this month in his address to the Vatican Diplomatic Corps. The pope called for work on the primacy of justice and law, defence of the vulnerable, working to build bridges, and "rethinking our common destiny.”

The wave of the future is the struggle for an elementary social justice, a goal framed by the Sustainable Development Goals. Millions of people, in a vast array of civil society organizations, are working daily in a myriad of ways to make the world a better place, especially for the vulnerable. This unsung activity is firm-

ing up a culture of peace and laying the groundwork for acceptance of the right to peace, and this will have a greater long-range effect on humanity than the eruptions now taking place.

That is why developing the elements of a culture of peace – education, sustainable development, respect for all human rights, equality between men and women, democratic participation, understanding and tolerance, free flow of information, and human security for all – is so important and hopeful. Focusing on what the world has already achieved in the human security agenda gives us a solid foundation to hope for even more in the years ahead.

Hon. Douglas Roche, O.C., was a Senator, Member of Parliament, Canadian Ambassador for Disarmament, and Visiting Professor at the University of Alberta. He was elected Chairman of the United Nations Disarmament Committee at the 43rd General Assembly in 1988. In 2018, the International Peace Bureau awarded him the prestigious Sean MacBride Prize for his “indefatigable work, in particular as President of the UN Association and, as Ambassador for Disarmament during the height of the Cold War, helped maintain strong Canadian public support for the ideals of multilateralism in one of the most turbulent times in modern history.” The author of 23 books, his latest is Hope Not Fear: Building Peace in a Fractured World.

Rodrigo Carazo, President

Dr. Francisco Rojas Aravena.

Robert Muller

