

## **Human Rights Council**

### **Fourteenth session**

Agenda items 2 and 3

### **Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General**

### **Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

### **Report of the Office of the High Commissioner on the outcome of the expert workshop on the right of peoples to peace**

Summary of the presentation of Professor Mario Yutzis in the expert workshop on the right of peoples to peace, as requested by the Human Rights Council in resolution 11/4.

25. Mario Yutzis, former Chairperson of the Committee on the Elimination of Racial Discrimination, indicated that the right of peoples to peace, traditionally claimed by both the General Assembly and the Commission on Human Rights in previous decades, had garnered new interest which might considerably enrich its content. Since the cold war, States had accepted that peace and security, development and human rights were the pillars of the United Nations system and the foundations of collective security and welfare. In parallel, the progressive development of international human rights law had favoured the emergence of solidarity rights. Among them, the States had codified the human right to development. For its part, in recent years civil society had also exhibited interest and had worked to develop the human right to peace.

26. Mr. Yutzis recalled that there was an inextricable relationship between solidarity rights and the human rights which were recognized 61 years ago in the Universal Declaration of Human Rights and in the American Declaration of the Rights and Duties of Man. They include a set of rights that the Vienna Declaration and Programme of Action characterized as universal, indivisible and interdependent, including the right to development.

27. Based on the developments and interest in recent years, Mr. Yutzis stated that it was possible to say that the right of peoples to peace had at least five new dimensions. First, it claimed the defence of the value of life, which was the most fundamental of human rights. That close relationship between the values of peace and life led to the assertion that there was a human right to peace, which both peoples and individuals held. In terms of positive law, the Human Rights Committee had affirmed the relationship between the right to life, prevention of war and the prohibition of propaganda for war, including the proliferation of nuclear weapons. Second, it involved the recognition of others, acknowledging the oneness of humankind overcoming all forms of prejudice, whether due to race, class, colour, nation, gender, degree of civilization or anything else that served in arguments to support and impose the superiority of people and/or social groups. Third, it was a valuable resource against violence arising from armed conflict and structural violence, because conflict was incubated in discrimination and undue restrictions on human rights. All forms of violence impeded the consolidation of peace. Fourth, other instruments of universal scope explained the basis on which peace rested as a right with individual and collective application. Thus, Mr. Yutzis noted, through its dual character — individual and collective — the right to peace made it possible to assert the broader notion of the human right to peace. Fifth, the right to peace had a definite individual dimension, which was assessed through the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

28. Mr. Yutzis recalled that specialized agencies of the United Nations also pursued the same aspirations for peace. In international and regional organizations there were equally abundant provisions relating to peace as an individual and collective right. The links between peace and security and respect for human rights inside and outside nations highlighted in the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Convention on the Rights of Persons with Disabilities.

29. Finally, Mr. Yutzis recalled that the private encoding of the human right to peace by civil society also reflected both the collective and the individual dimension of that right. Thus, in the Luarca Declaration on the Human Right to Peace, a document which was adopted by a committee of experts from civil society organizations, several articles detailed the scope of the individual applications of the right, which can be understood to apply to peoples as well. The Declaration also contained the generally accepted principle of dual ownership of the human right to peace. He noted that peace was indivisible, and thus manifested itself as a collective right of the human community of peoples and States while, at the same time, directly affecting each human being as an individual right.