

The Right to Peace

May 2003

By **Ana Elena Obando**, *WHRnet*

ISSUE

[Overview](#)

[Human Rights Mechanisms](#)

[Facts and Figures](#)

ADDITIONAL RESOURCES

[Perspectives](#)

[Interviews](#)

[Links](#)

[Taking Action](#)

Overview

On February 15th 2003, over 30 million people demonstrated in 600 cities against the planned USA-UK led war against Iraq and to defend the right to peace. Peace preservation is the main objective of the United Nations as well as of many men and women worldwide. This right is so important that the Charter of the UN states that Member States agree to settle disputes by pacific means and not to resort to threats or the use of force against other states. The recent USA-UK war against Iraq did not only violate international law and its principles, but it also contravened the *raison d'être* of the United Nations.

The United Nations Fourth World Conference On Women (1995) laid the foundations for future deliberations on women's participation in conflict resolution, peace negotiation processes, reconciliation, reconstruction and peace-maintenance at all levels. From that moment, the UN General Secretary pointed out that "peace was absolutely linked to equality among men and women, and to development...". Likewise it stated that a culture of peace includes: a) respect for life and for all human rights; b) rejection to violence; c) equal rights and opportunities for men and women; d) freedom of speech; e) and the principles of freedom, justice, democracy.

Therefore, the creation of a culture of peace will not be possible if it is not clear that the exercise of power inside the social, political, religious, military and economic structures and organizations continues to be male-dominated and based upon ideas of masculinity that celebrate the exercise of power and control, competitiveness and the repression of human emotions.

Different perspectives and analyses have been developed by various social movements, and women's movements in particular, that offer other ways of looking at war and of understanding war and peace, logically and ethically, based on basic principles of common humanity, tolerance, respect, equality, freedom, love and empathy. For example, from a gender perspective it can be argued that the values and attitudes behind domestic violence are the same ones that drive armed conflict. States exercise military violence to guarantee their hegemonic place in the world in a similar mode as men who use violence against women in "peace times" - in the home, in the street, or in the work place -- as a way

to maintain gender privilege and control.

Peace and security cannot emerge at gun point but from dialogue, social and economic development, justice, and from negotiation and inclusion -- both in political processes as in daily interactions among men and women. Strengthening the institutional structures of peacemaking can only happen where there are radical reductions in armaments. However, a deeper analysis of the mechanics of peace building is required. The United Nations has been entrusted with the task of disarming the nations worldwide but must further develop its analysis of the multi-layered nature of conflict and violence, which traverses the public and private spheres in times of war as well as so-called "peace." The same destructive, gendered logic behind building nuclear weapons, for example, is also implicated in the destruction of the environment and the widespread use of violence against women in its many manifestations. Without a thorough-going analysis of the gendered way in which violence is used and an understanding of the critical role that women must play in peace building, progress in ensuring the right to peace will continue to be impeded.

A male-centered definition of "peace" merely as the "absence of war" is still dominant. Such an account does not recognize the many different manifestations of social and structural violence that women and other socially excluded groups suffer on a daily basis globally. Consequently, peace agreements often ignore the real reasons of violent conflicts and the origins of new conflicts. Hence it is especially important that women and marginalized groups, their needs and interests are not sidelined in peace negotiations or in current or future policies of governments.

A culture of peace can only be born and maintained in equal societies where inclusive structures and democratic processes prevail and where there is respect for indivisibility, universality and integrity of human rights. This means, among other things, building societies that reject sexism, racism, classism, and ethnic discrimination. It also requires developing alternative models of economic development in which the needs of all human beings - in contrast to the needs of the elites of free-market capitalism -- are pivotal and where democratic polities are nurtured in which citizens are active participants and the state is accountable.

Likewise, a culture of peace demands that women's role is recognized -- as social and political caretakers and as providers and organizers of survival strategies during conflicts. Such a recognition means that women must be supported in participating in the reconstruction and rehabilitation of their societies in the post-conflict stage, as well as in addressing security matters. During conflicts and during the social upheaval of post-conflict situations, women and girls are especially vulnerable to sexual torture and rape and to trafficking for the purposes of sexual or domestic slavery, among other violations.

Mohandas Karamchand Gandhi, described non-violence as an honest and diligent search for truth guided by love, compassion, understanding, and respect. He said that in order for human beings to find harmony they must accept that they are all interdependent and that they are all interrelated. He also said that every person, culture, different way of being, and every faith should be respected without imposing different interpretations of the truth, and understanding the essence and role of human beings in the Creation.

Human Rights Mechanisms

The instruments related to women peace and security are found in Human Rights Law, but also in [Humanitarian International Law](#). International Humanitarian Law, is a body of international rules applied specifically in situations of armed conflicts, international or not. These laws restrict the freedom of parties involved in hostilities to freely choose the methods and means used in war (Hague Law).

They also address ways and means of protecting civilians affected by war and conflict (Geneva Law). In 1949, International Humanitarian Law (IHL) emerged in its current form through the four [Geneva Conventions](#), which mainly regulate the situation of inter-states war, although it also includes non-international armed conflict in the Art. 3 which applies to all.

- The [First Geneva Convention](#), protects wounded and sick members of the armies in campaign
- The [Second Geneva Convention](#) protects wounded and sick members of the armies on the sea.
- The [Third Geneva Convention](#) protects war prisoners
- The [Fourth Geneva Convention](#) protects civilian population in the hands of the enemy.

Later in 1977, the IHL was strengthened with the approval of two additional protocols to the Geneva Conventions.

- The [First Protocol](#) reinforces the protection of the victims in international conflicts, and in national liberation wars.
- The [Second Protocol](#) reinforces the protection to people affected by internal armed conflicts, which complements the Art. 3 shared by the Four Geneva Conventions.

International Humanitarian Law is a set of rules to regulate international behavior in war situations, as an instrument for civilizing war or minimizing its effects. Its main functions are to control a current war situation, to complement the gaps of the internal laws of each state, to organize the relationships between states, and to prevent and protect people and goods affected by it.

Given an overall prohibition on resolving conflicts using force, as stated by the Charter of the United Nations, it is acknowledged by the UN that there are cases for which the use of force is legitimate. These are: war in self-defense, wars of national liberation, and collective security measures outlined in Chapter VII of the Charter, which can be used against a state that represents a threat to the international security or peace.

Until the 1970s, IHL was divided in two sections: Hague Law, established to restrict the means of warfare and Geneva Law itself, which protects the victims of the war. A new section called "New York Law", or "Disarmament Law", applies not only in war conflicts but to controlling the production, storage and relocation of weaponry, with the aim of eventual total disarmament. (An example of this is the Convention of 1972 on the banning of the development, production and storage of bacteriological and toxin weapons, and about its destruction)

Recently, the [International Criminal Court](#) was created and according to its statute war crimes include: rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization, and any other form of sexual violence which constitute an infringement of the Geneva Conventions. Moreover, these crimes and other sexual violations of the same level were classified as crimes against humanity. It is the first time, within the framework of the international humanitarian law, that such gender-based violations have been recognized in the text of a treaty (since the ad-hoc courts have created jurisprudence on the matter). That is, that rape, and other forms of sexual and gender-based violence are deemed to be crimes of the same level and importance as homicide, torture, cruel treatments, mutilation, slavery, etc.

Among other the UN instruments and documents that are especially related to women's human rights in this area are:

- The [Charter of the United Nations](#). The aim of the peace maintaining measures as stated on the [Chapter VI](#) of the Charter of the UN, is to respect cease-fires and marked lines, or to settle

agreements on the retreat of the army. The operations of peace restoration, as stated in chapter VII of the Charter, will be the responsibility of the UN forces or of states, groups of states or national organizations, on the invitation of that state or the authorization by the Security Council.

- [Universal Declaration of Human Rights](#) (1948)
- [Declaration on the Protection of Women and Children in Emergency and Armed Conflict proclaimed by the General Assembly](#) (resolution 3318 (XXIX), (1974). Attacks and bombings on the civilian population, inflicting incalculable suffering, especially on women and children, who are the most vulnerable members of the population, shall be prohibited, and such acts shall be condemned.
- [Declaration on the Right of Peoples to Peace](#) approved by General Assembly resolution 39/ 11 (1984) which states the willingness and aspiration of all peoples to eliminate war from the life of humanity and, specially, to prevent a nuclear worldwide catastrophe, and, solemnly declares that one of the fundamental obligation of any State is to protect and ensure the right of peoples to peace. To guarantee the exercise of the right of peoples to peace, the policies of states must be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations.
- [Convention on the Elimination of All Forms of Discrimination against Women](#) (1979) and [its Optional Protocol](#) (1999)
- [Declaration on the Elimination of Violence against Women](#) (1993)
- [Vienna Declaration and Program of Action](#) (1993) (A/CONF.157/23) (paragraphs 18 and 38)
- [Beijing Declaration and Program of Action](#) (1995) and the documents resulted from [Beijing +5](#) (2000)
- The policies of United Nations High Commissioner for Refugees ([UNHCR](#)) (1995 and 1997)
- The Windhoek Declaration and the Plan of Action of Namibia on '[Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations](#)' (2000)
- The [UN Security Council Resolution 1325](#) (2000) which states the need to incorporate a gender perspective and women participation during the conflict, after the conflict, and in all peace agreements and processes, as well as regional, national and international institutions related to conflict prevention and resolution, consulting with local and international women NGOs who work in this subject.
- The European Parliament's resolution on the [participation of women in peaceful conflict resolution](#) (2000)
- [Resolution 36/7 on the Advancement of Women and Acts of Terrorism against Women](#), strongly condemns the acts of violence perpetrated by armed groups and by drug traffickers who terrorize and threaten the safety and lives of the population, especially women, and, in particular, women who have been democratically elected to public office, or who are leaders of community organizations or welfare associations, or who have been appointed by the Government to positions of responsibility.

Facts and Figures

- Nowadays there are more than 30 countries and regions in conflict or post-conflict situations. 15 of these countries have UN Peace Operations ongoing, but only 3 of the peace operations have gender consultants.
- The disarmament and weapons collection program carried out in Albania by the United Nations was successful due to the participation of women.
- In Mali, women organized the first public ceremony of weapons burning, and, since then, the police annually celebrate the Day against Small and Light Weapons.
- In Liberia women worked until reaching a disarming percentage of 80% before the elections in 1995

- In 1999, 99.000 women worldwide signed a request for peace directed to and presented in the General Assembly of the United Nations, so as at least 5% of the annual military expenses in each country is redirected during five years towards health, employment and education.
- In the last two years, women have actively participated in the peace negotiations in Burundi, Afghanistan and The Republic of Congo.
- In Colombia the Ruta Pacífica de las Mujeres was created, a feminist proposal looking for a negotiated end in the armed conflict under the non-violence ethics. They are pacifist, antimilitarist women, who are against militarism, authoritarianism and against the build up of arms.

Sources:

Ana Elena Obando, "[Feminismos y claves para construir la paz](#)", Femina Sapiens, LaCuerda, Año 4, No. 42, Guatemala, enero-febrero/2002

Arun Gandhi, "[Nonviolence in the 21st Century: Challenges and Choices](#)"

[Conferencias y Eventos de las Naciones Unidas](#)

[Declaración sobre el Derecho de los Pueblos a la Paz Adoptada por la Asamblea General en su resolución 39/11, de 12 de noviembre de 1984](#) (Declaration on the Right of Peoples to Peace approved by General Assembly resolution 39/11 of 12 November 1984)

[Hoja de Datos sobre Mujeres y Conflicto armado, preparada por Naciones Unidas en octubre del 2002](#). Diseminada por Women 's Ink.

Lucía C. Colombato y Marcela Tejeda, "[El Derecho a la Paz](#)"

Ramona Bustamante R., "[Building a Culture of Peace through Non-violence against Women](#)"

[Oficinal del Alto Comisionado para los Derechos Humanos](#) (Office of the High Commissioner for Human Rights)

[Resolución 36/7. El adelanto de la mujer y los actos de terrorismo contra mujeres](#) (Resolution 36/7. The Advancement of Women and Acts of Terrorism against Women)

ADDITIONAL RESOURCES

Perspectives

In preparation

Interviews

[An Interview with Diana M. Gutiérrez Londoño](#), feminist lawyer, active member of Ruta Pacífica de Mujeres Colombianas, has worked with different popular, non-governmental, community and women's organizations. (May 2003)

Links

[Bat Shalom](#)

<http://www.batshalom.org/2002/1.htm>

Bat Shalom is a feminist peace organization of Israeli women who strive to attain a just peace between Israel and its Arab neighbors. This peace includes the recognition of a Palestinian state side-by-side with Israel, and Jerusalem as the capital of both. Within Israel, Bat Shalom works toward a more just and democratic society shaped equally by men and women.

[Peacewomen](#)

<http://www.peacewomen.org>

Peace Women is a project of the Women's International League for Peace and Freedom. The Peace Women website aims to enhance the visibility of women's peace efforts to the United Nations and international community by creating a centralized repository of information on women's peace activities in the field, databases of contacts and campaign, and outreach material. The website also aims to provide information services to women working in war-torn societies, as well as information, at national and international policy levels, on the processes and products arising from Security Council Resolution 1325. In addition, Peace Women endeavors to enable women working in war-torn societies to learn from each other, strategize, and communicate.

[MADRE](#)

<http://www.madre.org>

MADRE is an international women's human rights organization that works in partnership with women's community-based groups in conflict areas worldwide to address issues of women caught in conflict, health, education, economic development, and other human rights. MADRE provides resources and training to enable sister organizations to meet immediate needs in their communities and develop long-term solutions to the crises they face.

[Grandmothers for Peace](#)

<http://www.grandmothersforpeace.org>

Grandmothers for Peace International is a non-profit peace organization led by grandmothers from across the globe. The website contains a monthly newsletter, action alerts, anti-war links, and information about the organization and how people may join.

[Women Waging Peace](#)

<http://65.214.34.121/index.asp>

The goal of the Women Waging Peace initiative is to change the public policy paradigm to fully integrate women throughout formal and informal peace processes to prevent violent conflict, stop war, and sustain peace in fragile regions. Waging brings together women from diverse areas of conflict

around the world to share peace-building strategies, sharpen skills, and shape public policy. The website contains news, information on research and policy initiatives, press releases and links.

[Hague Appeal for Peace](http://www.haguepeace.org)

<http://www.haguepeace.org>

The Hague Appeal for Peace is an international network of peace and justice organizations dedicated to sowing the seeds for the abolition of war through the implementation of the Hague Agenda for Peace and Justice for the 21st Century (UN Ref A/54/98), a set of 50 recommendations developed at the Hague Appeal for Peace Conference in 1999, the largest international peace conference in history. It is focused on promoting a Global Campaign for Peace Education dedicated to the integration of peace education into curricula and communities worldwide as a means of reducing violence and preventing war.

[NonViolence.Org](http://www.nonviolence.org)

<http://www.nonviolence.org>

A web "portal" for nonviolence, it takes pride in being the world's number one source for news and commentary on nonviolence. It features the most provocative, timely and best writing and analysis from a nonviolent viewpoint.

[Peace Net](http://www.igc.org/igc/peacenet/index.html)

<http://www.igc.org/igc/peacenet/index.html>

Hosted by the Institute for Global Communications, the website offers news, action alerts, and information on current projects devoted to social justice, peace, human rights, and public policy issues. Providing links to networks and activists worldwide, the site is a gateway for people who want quick access to alternative news and political analysis, or an easy way to search for information and web sites of progressive organizations. The site also offers automated web tools for publicizing events and calendars, action alerts and information about volunteers and employment in the progressive nonprofit sector.

Taking Action

[An International Appeal from the Hague Appeal for Peace Japan](http://www.haguepeace.org/index.php?name=pagetool_news&news_id=84)

http://www.haguepeace.org/index.php?name=pagetool_news&news_id=84

The Hague Appeal for Peace Japan is concerned that Japan's Article Nine is in the brink of nullification. This page contains Hague Appeal's statement.

[Week of Action Against Small Arms](http://www.iansa.org/action/2003/week_of_action.htm)

http://www.iansa.org/action/2003/week_of_action.htm

The International Action Network on Small Arms is encouraging groups and individuals to join the events for the global celebration of the Week of Action Against Small Arms from June 1 to 8, 2003. Visit this page to know the events in your country or region.

