

Statement by the Islamic Republic of Iran

First Session of the Open-ended Intergovernmental Working Group on Right to Peace

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Mr. Chair

Over the years, the international community has been endeavoring to establish the universality of peace and human rights. The United Nations, in its Charter, recognized peace as central to its existence and affirmed that it is both a prerequisite and a consequence of the full enjoyment of human rights by all. The collective dimension of the human right to peace was also codified in the UN Charter's preamble, as the responsibility to save succeeding generations from the scourge of war lies with the peoples.

The exercise of the right to peace and its promotion demands policies towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of 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.

the Human Rights Council, in consequent resolutions, has reaffirmed the right to peace as a sacred right of peoples and individuals and has emphasized that preservation of the right to peace and the promotion of its implementation constitute a fundamental obligation of all States.

To obtain those lofty goals, there is a need for an international system based on respect for the principles enshrined in the Charter and the promotion of all human rights and fundamental freedoms, including the right to development and the right of peoples to self-determination.

~~Mr. Chair~~

Despite the all efforts undertaken by the all International actors including the active role played by civil society during the past ~~decades~~^{years}, the recognition of the right to peace as an autonomous human right has not yet been achieved.

My delegation endorses the process of codification of the right to peace through adoption of an UN declaration. We encourage all States, including those that don't recognize the right to peace, to engage actively in the negotiations of the draft declaration.

Mr. Chair

We have taken note of the draft Declaration of the Right to Peace prepared by the Human Rights Advisory Committee and would like to put forward the following comments and observations

- There draft declaration needs to be short, precise and balanced text guided by international law, in particular the UN charter.
- There is an essential need for compliance with the original purpose of outlining a draft declaration, which is basically the reaffirmation of the right of individuals and peoples to peace, as an important pre-requisite to protect and promote human rights, and in the light of the inherent interdependence of peace, development, and human rights.
- There is significant fault and terseness of the pre-ambulatory paragraphs which does not include several issues addressed in the relevant articles of the UN charter, HRC and GA resolutions on the right to peace. The pre-ambulatory paragraphs also failed to fairly reflect the importance of the preventive role of peace vis-à-vis human rights violations, and the complementary nature of the three main pillars of the UN, namely Peace-Development-Human Rights.
- The draft uses wording inter-changeably in a way that needs to be defined along the lines of international law. for example the reference to war and use of force needs to indicate the legal and legitimate exceptions for the use of force established by UN charter including article 51 on self defense and use of force sanctioned by UN according to chapter 7
- The draft declaration should not re-produce or create new concepts irrelevant to the right to peace. Identification of common grounds is essential in this process. Using undefined, ambiguous and un-grounded concepts that lack any consensus in international law and human rights law and they are still in the process for developing a definition for, is counter-productive and complicates the work entrusted with the working group.

- Thus, controversial issues should be excluded from the text, like human security, responsibility to protect, sexual orientation, conscientious objection to military service, peacekeeping, refugees and migrants, among others.
- The draft presents issues that have no relation with the purpose of the declaration. the role of peacekeeping in the protection of civilians, integrating gender perspective in peace keeping operations, democratic oversight on military establishments and its budgets, laws on discrimination against women, military conscription, redress, refugees and migrants are few examples in this regard.
- Some proposed sections look into the details of work and substance discussed in other specialized fora. Any reference to these issues should remain as general principles that only highlight the basic relationship with the right to peace (issues like disarmament)
- The declaration should have emphasis in peace at the international level while bearing in mind the relationship between international/regional peace and domestic peace. The declaration needs also to reflect this relation in a proportional manner corresponding to this balance exclusively within the UN charter.
- While recognizing also the need for reference of peace at national level, this should be without interferences in domestic question like democracy, national defense, etc.
- Other topics like private military and security companies, the right to development, environment and peace education and training, need to be reinforced in the text.