

## Policy Proposal

To the G7 countries, please give your blessings to the movement of the international codification of the right to peace, which is discussed in the United Nations Human Rights Council.

We are from civil organizations whose goal is peace. As such, we fear for the effectiveness of the measures against the violation of wars and use of violence with regard to security in humankind as would be discussed in the G7 Ise-Shima Summit.

From the experiences of two world wars in the 20<sup>th</sup> century, there has been a large amount of movements outlawing wars and prohibiting the use of violence against humans. This is so even in the United Nations Charter, which in principle the threat or use of force is prohibited (Article 2 paragraph 4). As for the use of force, there is an allowance for the limited exercise of self-defense until measures stipulated by the United Nations are taken (Article 51). In addition, the approval of the Security Council is required to form the framework of international law.

However, in the Iraq war (2003-2011), the United States allowed the use of force without any approval from the Security Council, the reason given being that there were weapons of mass destruction, which did not exist. More than half a million people lost their lives in this war (from the investigation by the international team led by Amy Hagopian from the University of Washington). During the attacks on Fallujah in April and November 2004 by the Americans, white phosphorus munitions were used against civilians (RAI documentary program by Italian National Broadcast). There are also evidences of tortures and inhumane handling in the Abu Ghraib prison (internal investigation reports within the US army).

Moreover, in the Libya military intervention by NATO which lasted up to 10 months from March 2011, although it was based on a resolution of the Security Council which called for the protection of human life of the Libyan people, the British and French armies called for the resignation of the Libyan government. This casts doubts on the international laws. These attacks costs the lives of dozens of civilians (the NGO Human Rights Watch report). Rather than as a clear resolution towards Syria by volunteer countries, the United States has explained that this is based on the exercise of the right of collective self-defense and the United Nations Charter Article 51 of the individual's right to self-defense. Due to the intervention in Syria together with volunteer countries, the fighting intensified, and any political

method of resolution was made complicated. It resulted in huge loss of lives and the creation of civilian refugees. More than 4 million refugees flowed into the neighboring countries of Syria while there are 7.6 million people who are internally displaced (reported by UNHCR · 2015 · 7)

In spite of a consensus within the international community on the prohibition of the use of violence, it is often the cause of wars, which results in war crimes and the sacrifices of human lives continue. The work of the human rights international codification of peace of the United Nations Human Rights Council is to continue to search for solutions for such crises. The issue of peace and war should not be regarded as problems among countries. Rather it should be viewed from the point of the people's rights to peace. By codifying it in law, we can prevent the use of force. Countries may make wrong decisions on policies. As such, there must be measures to prevent this from happening.

The Constitution of Japan has admitted the mistake in decisions made by the government. In the preceding sentence, "we here do proclaim that the sovereign power resides with the people, to watch over the conduct of the government to not repeat the horrors of wars", "We strive to maintain peace as well as eliminate autocracy and slavery, oppression and intolerance forever from the surface of the earth, as part of our bid to occupy an honored position in the international community. We, all peoples of the world, are free from fear and want to make sure that we have the right to live in peace." The message of these sentences is to path the way to the rights towards peace.

In 2005, the Spain International Human Rights Law Association started the "International Campaign for the Rights for Peace." NGOs and experts in various parts of the world met in overlapping meetings and issued the "Santiago Declaration on Human Rights to Peace" in December 2010. This declaration presented specifically the people's rights towards the realization of peace. With the Santiago Declaration as a base, the Advisory Committee of the Human Rights Council has created a draft declaration of the right to peace in April 2012. With a change of the Chairman of the Committee of Rights in 2013, there has been a recommendation on the consensus method. As such, the draft by the Chairman issued in June 2014 was put in the backseat and the advisory committee proposal took precedence. The wordings on the Rights of Peace vaporized on its own. The proposal by the advisory committee was opposed by the United States, EU, South Korea, and Japan. It seemed that the Chairman's draft of 2014 was issued in such circumstances.

The Summit supposed to be an event for sending a strong message toward peace, while the rights of peace codification could be a big step forward to the prohibition of the use of force. However many of the participating countries have adopted an opposite attitude to it. This is what we fear most. The work of the Human Rights Council will start from July 2016.

To the G7 countries, in order to move forward with pressing for the prohibition of the use of force resolution, please show your support to the international rights of peace codification. This is especially so for Japan as the host country, preamble to the Constitution as mentioned above, we the people have the peaceful right to live. Please raise this issue for discussion to demonstrate leadership in the Ise-Shima Summit. To the governments of the various countries, please take note of the following:

- Government of the G7 countries to recognize the “rights to peace” as a basic human rights.
- At the UN Human Rights Council Committee in July 2016, the UN General Assembly’s "Declaration on the preparation of society to live in peace" in 1978 and the United Nations General Assembly’s "Declaration on the people's right to peace" in 1984, the participating governments at the Summit supported the United Nations declaration of rights for peace in order to sustain development.
- Governments to discuss the deliberations in the foundation of the advisory committee proposed in 2012 at the United Nations Human Rights Council.
- Together with the prevention of war, governments from various countries can take measures to ensure the rights of peace of the people as a duty of the individual government in order to eliminate structural violence, such as poverty and discrimination.

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Anti-war Network  
Peace Boat  
Japan Peace Society Chubu · Hokuriku district  
Institute  
International Campaign for Rights for Peace ·  
Japan Executive Committee  
Japanese Lawyers International Solidarity

Association  
Nagoya Gakuin University Peace Studies  
Association

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- Nagoya Gakuin University Peace Studies Association
- Civic Institute for Civil Society
- MIE NPO Network Center
- Association of Yokkaichi NPOs
- Universal Working Center
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