



General Assembly

Distr.: General
20 February 2017

English only

Human Rights Council

Thirty-fourth session

Agenda item 1

Organizational and procedural matters

Written statement* submitted by the Friends World Committee for Consultation, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-02600(E)



* 1 7 0 2 6 0 0 *

Please recycle



Sustaining Peace: The Contribution of Human Rights to Peacebuilding

Friends World Committee for Consultation (Quakers) welcome the decision of the Human Rights Council to address the issue of “The contribution of human rights to peacebuilding through enhancing dialogue and international cooperation for the promotion of human rights” at this High Level Panel. The Quaker United Nations Office (QUNO) has longstanding programmes on both Peace and Disarmament and Human Rights and Refugees with relation to the UN and has been working for several years specifically to promote and strengthen the link between human rights and peacebuilding. Our analysis and recommendations are based on our experience and expertise gained in this area.

The parallel resolutions on the review of the United Nations peacebuilding architecture adopted by the Security Council and the General Assembly in April 2016 (S/RES/2282 and A/RES/70/262) called on the Secretary-General to deliver a report on Peacebuilding and Sustaining Peace to the 72nd session of the General Assembly. Therefore, the decision to hold this discussion at the Human Rights Council is necessary and timely to begin to address the fragmentation in the UN system and its costs in efficiency, effectiveness and, therefore, human terms. It would be useful if this Mainstreaming panel could transmit a number of practical suggestions to the Secretary General for consideration in the development of the report.

System Weaknesses

In 2015, three major UN reviews on the peace and security institutions, and the 2030 development agenda, have generated a number of key strategic messages, including, among others:

- A recognition of the necessity to link peace, human rights and development approaches in order to achieve both sustainable development and sustainable peace.
- A recognition of the need for the UN to address the fragmentation of its decision making and implementation processes and the impact this has on its effectiveness
- A reiteration of the need to prioritise prevention and a focus on root causes

There is widespread concern about the fragmentation of the UN system in its approach where a lack of coherence and institutional collaboration hinders effective prevention of both human rights violations and destructive conflict in a whole range of societies. Specifically, we can point to several consequences of the failure to work on the links between human rights and sustaining peace, including:

- Failure to make use of expertise available in the UN system that could deepen analysis, leading to more relevant strategy on prevention and peacebuilding
- Increased fragility in peace agreements as root causes related to economic, social and cultural rights are not addressed
- Loss of opportunities for states to take advantage of technical assistance and capacity building in human rights that could support peacebuilding efforts
- Duplication of work within the UN system, reducing space for cross cutting discussions in human rights and peacebuilding that would enhance the effectiveness of work in both areas
- Lack of cooperation and coordination in field missions, from both peace and security and human rights institutions, leading to possible contradictions in approach
- Reduced effectiveness of early warning as human rights indicators – civil and political as well as economic and social – are not tracked as indicators

Sustaining Peace: A Whole of System Response

The term “sustaining peace” was used in the report of the Advisory Group of Experts on the Review of the Peacebuilding Architecture and the resolutions deriving from it. Sustaining peace is understood to be a matter for the whole of the UN “at all stages of conflict, and in all its dimensions”. Consequently, the resolutions identified the need to strengthen operational and policy coherence within the United Nations system.

What is Sustaining Peace?

In the parallel resolutions on the review of the United Nations peacebuilding architecture, the Security Council and the General Assembly reaffirmed their commitment to peacebuilding, understood as an inherently political process aimed at preventing the outbreak, escalation, recurrence or continuation of conflict.

The coining of the term “sustaining peace” to convey that peacebuilding is a process aimed at preventing the “outbreak, escalation, continuation or recurrence of conflict”, crucially including the need to address root causes, brings the UN in line with the longstanding theory and practice of much of civil society, where peacebuilding was seldom narrowly confined to a post-conflict activity.

Echoing the universality expressed in the 2030 Agenda - where each and all countries are responsible for sustainable development - the task of sustaining peace is each and every state’s responsibility.

Why are Human Rights Relevant to Sustaining Peace?

In the work of sustaining peace the role of human rights generally, and the UN human rights mechanisms in particular, is central. Human rights violations are both cause and effect of destructive conflict and prevention is seen as a priority for both the Human Rights Council and the UN peace and security institutions.

Inclusivity

Sustaining peace emphasizes inclusive national ownership of the peacebuilding process, where local actors, including women and youth, play an important role. Inclusivity, however, requires empowerment of marginalized sections of society, such as Indigenous Peoples or stigmatized social groups, in order to allow them to participate in political processes and in decision-making that affects their lives, livelihoods and well-being. Human rights have a crucial role to play here through articulating and ensuring civil and political rights and procedural rights such as the right to information, public participation in decision making and access to justice.

Inequality

A focus on prevention means the necessity of looking at root causes, which often points to unequal power distribution, discrimination and inequality, resulting in unequal access to jobs, quality education and health care as well as natural resources such as water and land. Promoting economic, social and cultural rights is essential to the tasks of preventing destructive conflict from analysis to implementation.

The work of OHCHR on Economic, Social and Cultural Rights and early warning of conflict speaks to the essential link between ensuring these rights and the prevention of destructive conflict. Using a human rights lens in conflict analysis, and a human rights framework in implementation of plans for preventive approaches, can strengthen peacebuilding processes.

At a minimum what is required is better awareness and communication between the UN’s human rights and peacebuilding institutions and processes to make sure that these multiple avenues for prevention can be utilized in a mutually reinforcing way.

Human Rights in the course of sustaining peace

Prevention of destructive conflict

Ensuring civil and political rights for free expression, organization, access to information and political participation are key to preventing violent conflict and for dealing with destructive conflict when it arises. In addition to the attention required on economic, social and cultural rights as part of the focus on root causes of destructive conflict, there are also specific areas where the UN has developed specialized human rights guidance intended to act in a preventive fashion. For example, in this world where the private sector is being looked to as an increasingly important aspect of the response to a range of challenges from development to migration and even conflict, the UN Guiding Principles on Business and Human Rights provide a vital complement to conflict sensitive business practice. The promotion of public participation in decision-making in environmental matters - from the local to international level - brings a procedural rights-based approach to prevention of destructive conflict around natural resources.

Conflict mitigation

Sustaining peace in existing conflict situations means beginning the processes that lay the groundwork for the post-conflict recovery period. The necessary capacity building, including for political participation, especially of women, must include human rights education. A rights-based approach in violent conflict settings can also help to focus on, for example, the provision of basic services and education. Human rights monitoring can provide essential information to aid in the post conflict processes of truth and reconciliation.

Peacemaking

Ensuring that human rights dimensions are included in peace making processes will be an important contribution to sustaining peace. The peace processes that occur with greater inclusivity, attempting to bring in marginalized groups and ensuring that women play a prominent role, have a greater chance of sustainability. The women, peace and security agenda is, at its core, both a human rights and peace agenda. The sustaining peace approach to a peacemaking process will ensure that root causes are tackled and peace negotiations are not reduced to an elite bargaining process that entrenches inequality, discrimination, exploitation of natural resources and dispossession of land thus sowing the seeds of the next conflict.

Post-conflict

The post-conflict period is about restoring or creating institutions and social processes - society- building as much as state-building - and these processes will be local and require human rights, development and peacebuilding approaches in concert. Restoring damaged relations and rebuilding the social contract will necessarily be underpinned by provision of social services, tax regimes, countering corruption from within, etc. all of which include essential human rights dimensions.

How can the UN Human Rights System Contribute to effectively sustaining peace?

A multi-stakeholder consultation held by QUNO and the Friedrich Ebert Stiftung (FES) in 2016 identified the following pragmatic steps that could be taken within existing resources in UN institutions that would increase effectiveness, particularly in the prevention of violent conflict:

- Use the informal briefing model of the Human Rights Council (HRC) to increase knowledge and awareness in both directions - from Geneva to New York and vice versa, e.g. the Chair of Peacebuilding Commission briefs the HRC and President of HRC briefs the Peacebuilding Commission, helping to sensitize States and secretariats to the issues
- Make use of the analytical research produced by the Human Rights Council (OHCHR reports, Commission of Inquiry (COI) Reports, Special Procedures' Reports) for peacebuilding purposes
- Increase capacity building in assessment of human rights situations for conflict prevention e.g. due diligence assessments in implementation of the Arms Trade Treaty (ATT)
- Check Universal Periodic Review (UPR) reports for relevant references on drivers of conflict
- Involve the Committee on the Elimination of Discrimination against Women (CEDAW) more thoroughly in conversations on peacebuilding and prevention for their input on women in conflict prevention, conflict and post conflict situations
- Use information from human rights defenders to feed into early warning of conflict

Take advantage of the Special Procedures of the Human Rights Council

- Better integrate knowledge of Special Procedures in UN discussions in New York beyond the Third Committee, for example in the work of the Peace Building Commission, especially relating to economic, social and cultural rights

- Encourage (and welcome) Special Procedures mandate holders to brief UN peace and security institutions in New York
- Promote the exchange of information and expertise between UN Operations and Special Procedures mandate holders
- Make use of Special Procedures and Commissions of Inquiry also for peacebuilding and prevention purposes as these are relatively quick interventions that can provide valuable information and analysis
- Encourage joint Special Procedures activities that could be relevant to peacebuilding and prevention
- Recognize the interrelated nature of Human Rights and Peacebuilding when reporting
- Ensure that human rights dimensions are included in the Secretary General's report and subsequent discussions at the 72nd General Assembly

The Universal Periodic Review (UPR) was specifically mentioned in the joint Security Council and General Assembly Resolutions and QUNO has begun a yearlong project on “Integrating Human Rights and Sustaining Peace through the Universal Periodic Review”, working on specific case studies to review, encourage and facilitate the integration of a sustaining peace dimension into the UPR. Some preliminary recommendations:

- States under review report on peacebuilding efforts (understood as pre-, during and post conflict) in the framework of the Universal Periodic Review.
- States use the review to pose questions and make recommendations specific to peacebuilding and prevention of violent conflict
- The compilation of UN information should include information from UN peacebuilding and prevention bodies

These and other specific suggestions made during the Panel, relating particularly to operational and policy coherence and to maximizing synergies in capacities between human rights and peacebuilding and sustaining peace institutions, should be transmitted to the Secretary General for consideration in the development of the upcoming report.
