

Culture of Peace and the Fundamental Human Rights

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ABSTRACT: Peace and different challenges we are currently facing in Europe, the need for a coordinated political European effort for promoting public policies and allocating appropriate resources in supporting a refreshed culture of peace inside and outside Europe represent the essence of this article. War and peace, international security, military tools and education, the priorities of the European Union are the basic references used on this purpose. From a historical perspective, the desire for peace of the humankind was supported in the 20th Century by important decisions taken by the international society, such as the signature of the Briand-Kellogg Pact (1928), the London Convention for the definition of the aggression (1933) and the UN Charter (1945). Nowadays, an appropriate and coordinated European political, economic, social and security management of the huge migration flow, generated by the conflicts in some other parts of the World, of terrorism and radicalization, the situation of different groups based on faith (for instance the Christians) should facilitate the promotion of a peaceful environment between and within the nations and discourage the tensions, conflicts and radicalization.

KEYWORDS: Christians, culture of peace, education, European Union, Human Rights, international security, migration flow, military tools, radicalization, Romania, terrorism, war

Introduction

This subject, surprisingly from a certain perspective, became once again an experience also relevant in Europe. I am tempted to offer a Romanian and a European perspective, in the same time, on a subject related to *peace* and different challenges that we are currently facing in Europe and also taking into account something that I have been seeing for a number of years being a professor in a University in Bucharest, the fact that for the younger generation this item “peace” it’s something taken for granted, the French might say the following: “à la légère”, this means to treat peace as being something granted, not valuing correctly the sacrifices brought by different previous generation, for reaching peace in Europe. I have very often this discussion with my students.

We know that the history of war and peace is a long and complicated issue for the humankind and especially in the last century both of them were related to the concept of international security in the same time, so you will see it from the beginning of the United Nations Charter from 1945. First I would like to bring brief clarification concerning the notions, the concepts of war and also the second concept related to peace.

Definitions

You will find of course many, many definitions of both *war* and *peace* in the doctrine. I choose one simple definition for the *war* that was given by Dario Battistella: “The war is a rationalized and collective violence” (Battistella 2011, 14).

This was considered for centuries a legal and accepted modality of settling the disputes within the international society. So this is the first concept, the second one concerning the *peace*, an extremely interesting definition was given by Johan Galtung, a Norwegian political scientist. He made an interesting distinction between the concepts of *negative peace* and *positive peace* respectively. Negative peace it’s the absence of war or of a violent conflict between states or within a state. This is a clear distinction between the negative and the positive peace, the second one saying that the absence of war or a violent conflict will require not only the absence of a war but also social justice and development. That means the peace is not only about the disarmament for instance, but it’s also about the life of the people, that means development and social justice (Galtung 1969, 17).

Of course, currently we can identify different types of wars: the global wars, we had in the past two world wars, but also regional or local wars. Today we are facing different types of challenges, different types of wars, hybrid wars, nonconventional wars that involves mainly, I should say, the non-state entities more and more than it was the case previously, where especially the states were the

actors in this violent conflicts. And we are also facing different types of terrorism and this is a very painful challenge for all of us today.

International law developments in the 20th Century

The desire for peace of the humankind is something that was stronger and stronger proved especially in the past century. I want to mention briefly three important moments for promoting the peace in the international arena. First of all, 1928, the signature of the Briand-Kellogg Pact. Secondly, 1933, I am making reference to the London Convention for the definition of the aggression. And the third, the United Nations Charter. I will make brief comments on every and each one of these three important moments.

The Briand-Kellogg Pact was signed on 27 of August 1928. This was first signed by Germany, France and the United States of America, especially through the support of the United States Secretary of State Frank Kellogg and the French Foreign Minister Aristide Briand. This was adopted for promoting the renaissance of the war as an instrument of national policy (Shaw 2010, 468). As I mentioned, for centuries the war was considered a legal and legitimate way of doing things in the international arena. The year 1928 is the first time when the resort to war to resolve international disputes was forbidden and the war was expelled from the international legality. It is important because after the signature of the three countries that I have mentioned, many other countries including my own, Romania, have signed this pact. This precisely was extremely important for defining later the concept of crime against peace. This was relevant during the Nuremberg Tribunal and Tokyo Tribunal after the Second World War (History.state.gov, 2018).

The second moment as I mentioned was the London Convention for the definition of the aggression, for the first time in the International law when the aggressor and the aggression were defined by this London Convention (Titulescu 2018, 95). Extremely interesting to mention the fact that the definition for the first time in the international law of the aggression was even as a contribution of two Foreign Ministers at the time, one was the Soviet commissioner for international relations, the Foreign Minister of the Soviet Union, Litvinov, with the strong support of the Romanian, at the time Foreign Minister, Nicolae Titulescu, who by the way was two times president of League of the Nations that is currently the United Nations. It is extremely interesting because at that time the situation was tensed in our region, also between Romania and the Soviet Union, so this definition was given through a common Romanian-Soviet initiative. But the most interesting element is the following one, that almost 80 years later this precise definition that I have mentioned was used to condemn by the international society, by a large number of states, by the European Union, NATO and other international organizations, the aggression committed by Russia against Ukraine because of the illegal annexation of Crimea. A definition that was proposed initially by Moscow ...

The third one, the UN Charter, included elements from both London Convention and Briand-Kellogg Pact, but also from the Covenant of the League of the Nations (Shaw 2010, 1216) introducing those elements in some of the most important articles of the above mentioned Charter.

International security

The classical concept of the *security* is related to the sovereignty of a state. Today we are facing, as I mentioned, different types of other challenges related to these security aspects. For example, security challenges in human domains, technological, environmental, food, economic domains and so on.

One interesting dimension of the new concept of security was given in Europe in 1993 by the first Summit of the Council of Europe, which is the oldest Pan-European political organization based in Strasbourg. So in 1993 in Copenhagen the heads of states and governments of the member states launched the concept of *democratic security*. This was extremely important for the Europeans, for us, because this gain for the European members the solid foundation for eliminating conflicts, tensions and war, because rule of law, democracy and protection of fundamental human rights and liberties can generate this peace and understanding between nations.

Europe's challenges

As I mentioned, Europe is currently facing a number of serious challenges. I don't have the feeling that Europe was ready to face and manage properly those challenges, while briefly mentioning, for instance, *the huge migration flow*, generated by the conflicts especially from Africa, Middle East and other parts of the world. We faced the flow of an increased number of migrants coming to Europe. By the way, from a political point of view, our Europe that I said it was not ready to face these challenges, used in a populist manner several times, especially by some European politicians, this dramatic situation, redefining the concepts and institutions well established previously by the International law and International humanitarian law. For example, those who were escaping from conflict areas trying to save their lives, their family lives and so on, they are refugees, they are not illegal migrants. Suddenly they were qualified as illegal migrants. This change of approach, including through political and legal European documents and policies was a tricky one because when you are treating a refugee you are obliged according to the International Humanitarian Law to offer humanitarian assistance. Instead of that, putting the blame on these people (most of them being refugees in reality) because of their "illegal migrants" status, the treatment applied to them was redefined by placing them into the centers of detention (Corlatean 2016, 12-13). That means different procedures that are used against these people, violating their rights to humanitarian assistance.

Second serious challenge is *terrorism and radicalization*. We are facing in different countries of Europe these serious challenges, of course we are trying to do our best, cooperating, trying to eliminate or at least to diminish the terrorist threats, and also to look very seriously on the causes for radicalization, including in Europe, not only outside Europe. Here I'm thinking to the fact that an important number of Europeans citizens left Europe during the past years to become foreign fighters in Syria or Iraq.

A third serious challenge, which is also related to this radicalization and intolerance, having religious roots for different conflicts, it's *the situation of different groups based on faith*. We know the situation related to *Muslims* between different groups of Muslims, people that are suffering because of the fanaticism of others. We know the situation related to the *Christians* all around the world, including surprisingly how the Christian churches and the Christians are treated now in a number of states Europe. A report of a French organization (*Portes Ouvertes France* 2018, 18-19) on the persecution of Christian indicates that in 2017 more than 3000 Christians were killed all around the world because of being Christians, almost 800 churches being attacked, all in all around 250.000.000 Christians suffering serious grave persecution in around 58 countries that were subject of monitoring of this organization. All these facts represent only the reports registered officially, which means the reality is even more dramatic than presented in this report.

European Union

We are facing this type of *challenges* and my question was looking especially on the European Union tools and ways of doing things, how EU is acting and I will be extremely brief to say that for instance as concern the concept and structures of the Security Defense Policy (CSDP), the operations in the field of management security etc., European Union is promoting mainly the military instruments, the budgets allocated for defense, for combating terrorism, border control, the judiciary capacities and criminal justice, strategic communication and so on (Dumoulin, Gros-Verheyde 2017, 397) and not being more sophisticated in trying to reach some other important roots of this intolerance and radicalization. For instance, we don't have a chapter in the EU documents related to CSDP on Education. We should focus and allocate more resources for the education of the younger generation because if you are focusing more on the military aspects neglecting what is happening in the profoundness of the societies you don't have all the necessary solutions. A European coordinated and well budgeted public policy in the field of education for promoting mutual understanding and respect, tolerance, an appropriate social integration will strongly support a culture of peace and discourage attitudes or temptations for radicalization.

Romania's priorities for the EU Council Presidency (2019)

One brief comment concerning the Romanian Presidency of the EU Council (1st semester 2019). I am chairing a special committee of the Romanian parliament for the preparation of *the first Romanian Presidency of the European Union* and we are defining right now the *priorities of the future Presidency*. One of the priorities that was accepted by the Romanian Government at the proposal of the Parliament and also being my proposal is to tackle, to *combat racism, intolerance, anti-Semitism, populism, xenophobia*. I will also propose to add the *hate speech* because it became a serious problem in Europe which is currently generating serious political challenges in a number of EU member states. What I am stating is based on the knowledge I received being also the representative of a European organization, the Parliamentary Assembly of the Council of Europe (PACE) to the European Committee on Combating Racism and Intolerance (ECRI). This is a remarkable committee of European independent experts which is monitoring the situation in different European states, adopting country reports and recommendations or recommendations of public European policies and I can confirm, this is based on serious monitoring reports, that the situation in Europe concerning racism, intolerance, hate speech etc. it became something very serious. So we will introduce this topic within the Romanian Presidency's priorities.

Conclusions

I will end now saying that *the right to peace*, supported by a necessary *culture of peace*, became in the last 20 years a fundamental Human Right, acknowledged as such by international and national norms. Also the doctrine consecrates peace of being part of *the third generation of fundamental Human Rights and Liberties, the so called "Rights of solidarity"* (Corlatean 2015, 80-81). From this perspective, we should focus on using public policies and resources for promoting a clear vision for supporting the peace process, tolerance and understanding between or within nations much more than we are currently doing, at least in the case of Europe.

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