



General Assembly

Distr.: General
31 August 2012

English only

Human Rights Council

Twenty-first session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Associazione Comunità Papa Giovanni XXIII, a non-governmental organization in special consultative status

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

[20 August 2012]

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

The added value of a declaration on the right to international solidarity

The Associazione Comunità Papa Giovanni XXIII welcomes the report of Ms. Virginia Dandan, the Independent Expert on International Solidarity and Human Rights, submitted at the 21st regular session of the Human Rights Council as well as the summary of the Expert Workshop on Human Rights and International Solidarity held on 7 and 8 June 2012.

It is clear that “we have entered an age of solidarity where dramatic failures in financial governance in recent years have heightened cries for social justice, unified movements across borders, and sparked calls for more equity and more accountability in economic affairs”.¹

Similarly, Ms. Dandan said at the Rio + 20 Summit that: “States must wake up from the illusion that each one has a stake to protect that is separate from that of another. What happens to one of us happens to all of us. We win or we lose, together” and called on world governments “to cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem”.

Indeed, in our era of globalisation, there is a strongly felt need, even in the midst of a global recession, of seeking the common good and making real the concept of the family of nations as well as finding innovative ways to implement responsibilities for respecting, protecting and fulfilling human rights worldwide.

In this regard, the recognition of the right of individuals and peoples to international solidarity (notwithstanding its still controversial aspects: the legal content of the right, the duty bearers and the means of establishing accountability and monitoring mechanisms) brings added value to the panoply of human rights. The Independent Expert has pointed out several of these in her summary of the recent workshop.

APG23 would like to underline other added values that may be considered such as:

- the declaration of the right to international solidarity would reinforce other declarations such as the one on the right to development, the declaration on the rights of indigenous peoples, the future declaration on the right to peace;
- it would make clear and concrete the indivisibility of all the other human rights (civil, political, economic, social and cultural rights including the right to development);
- it would contribute further to creating an enabling international and national environment by addressing the root causes of the imbalances between developed and developing countries and removing the structural obstacles that generate poverty worldwide;
- it would foster equal participation to the process of decision making at international level, especially in financial institutions;
- it would have a positive impact on the struggle to preserve the environment and promote sustainable development;

¹ Introductory remarks by Mr. Craig Mokhiber (OHCHR) at the Expert Workshop on International Solidarity and Human Rights, 7-8 June 2012, Palais Wilson, Geneva.

- it would offer a legal framework to regulate financial markets and would promote a global economy based on an ethical, just, more democratic financial architecture to pursue the common good of humanity;
- it would enhance global partnership even in the post millennium development goals' era;
- it would be crucial to fight poverty worldwide;
- it would foster social protection floor mechanisms becoming as an international obligation;
- it would contribute to making globalization fully inclusive and equitable.

APG23 welcomes the unanimous support given by the experts to the concept of “Preventive Solidarity”. This concept put forward by Mr. Rizki, the previous Independent Expert and echoed on several occasions by Ms. Dandan has been adopted by this council in Resolution A/HRC/15/13 (OP7). Preventive solidarity means that interventions are not limited to and implemented when calamities, crises, natural disasters occur, but rather steps are taken by Member States, at national and international level, to address and remove the structural obstacles to the enjoyment of human rights and a fair distribution of benefits in our globalised world.

APG23 fully agrees with the outcomes of the expert workshop on the need to elaborate further the definition of international solidarity both as a principle and as a right.

The principle of solidarity implies cohesion between members of the international community on the basis of shared values; in times of global interdependence even the respect, protection and fulfilment of human rights become a share responsibility between all members of the international community (States and non-states actors) that requires acting in a spirit of brotherhood. Solidarity implies the duty of mutual help in order to advance common objectives (peace, development, a clear environment, respect of all human rights etc.); it recognizes the equality of the partners involved, despite any form of economic or other asymmetry; and, finally, solidarity extends beyond the actions of States among themselves to encompass the relationship between States and other actors, such as international organizations and civil society.

Solidarity also has an intragenerational and intergenerational dimension. Solidarity refers to the “unity of all human beings” (humanity) and to the fact of being a human family.

In this regard, we think that the definition of the principle of international solidarity proposed by Ms. Dandan enriches that of her predecessor.² The Independent Expert states: “solidarity far exceeds the sense of a common bond that is rightfully synonymous with solidarity. Solidarity is a persuasion that combines differences and opposites, holds them together into one heterogeneous whole, and nurtures it with the universal values of human rights. International solidarity, therefore, does not seek to homogenize but rather, to be the bridge across those differences and opposites, connecting to each other diverse peoples and countries with their heterogeneous interests, in mutually respectful, beneficial and reciprocal relations, imbued with the principles of human rights, equity and justice”.

APG23 greatly appreciates the work done by the drafting group on International Solidarity of the Advisory Committee but would suggest that the definition of the right to

² Mr. Rizki-Report A/HRC/15/32 paragraph 57...international solidarity be refined to denote the union of interests, purpose and actions among States and social cohesion between them, based on the interdependence of States and other actors to preserve the order and very survival of international society, and to achieve common goals that require international cooperation and collective action.

international solidarity be drawn also from Art.1 of the Universal Declaration of Human Rights and from the preamble and art.1 of the United Nations Charter as well as article 28 of the UDHR.

The definition, in our view, should read as follows: “The right to international solidarity, rooted on the equality of dignity and rights of all human beings belonging to the human family, is a human right by virtue of which every human person and all peoples are entitled to enjoy the benefit of a harmonious international society with a just and fair international political and economic order, in which all human rights and fundamental freedoms may be fully realized in a spirit of brotherhood”.

During the expert workshop, the relationship between international solidarity and international cooperation, was further explored and clarified. The Experts agreed on the difference between the two concepts. International solidarity contains and transform international cooperation but is not synonymous with it.

The current notion of international cooperation with the different attached conditionalities, can be seen more as a form of palliative care rather than prevention and cure, because it neither tackles the root causes of the unbalances between developed and developing countries, nor removes the structural obstacles that generate poverty worldwide.

On the other hand, the right to international solidarity can shift the focus from a cooperation among developed and developing countries based on the logic of profit to a solidarity cooperation without conditionalities based on mutual help in the spirit of brotherhood.

In this regard, APG23 welcomes the Independent Expert report³ on her mission in Brazil, for the pioneering example of a good practice in the field of solidarity cooperation it offers.

In conclusion, the expert workshop has given a greater insight to the issue of international solidarity and raised several questions that require further debate.

APG23 encourages the Independent Expert to continue carrying out consultations with all the stakeholders and involve as much as possible civil society not only in the consultation process but also in the drafting of the declaration.

³ A/HRC/21/44.