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Mr. Chairperson,
Distinguished delegates,
Ladies and gentlemen,

It is my honour to present the initial report of this mandate to the General Assembly. The mandate on human rights and international solidarity was created by the Commission on Human Rights in 2005, and my predecessor Mr. Rudi Muhammad Rizki was appointed the first Independent Expert of the mandate. However, it was only last year at the 21st session of the Human Rights Council that this mandate was requested to report to the General Assembly. Thus, two years after assuming office in August 2011 as the new Independent Expert, it is my pleasure and privilege to present this first-ever report delivered to you, the General Assembly, by this mandate. Please allow me to express my appreciation to you, Mr. Chairperson and the Assembly, for the opportunity to share with you the important progress being made to support the full realization of human rights through practices of international solidarity.

The Commission on Human Rights in its resolution 2005/55 established the mandate of the Independent Expert on human rights and international solidarity, with the purpose of studying the issue of human rights and international solidarity and preparing a draft declaration on the right of peoples to international solidarity, taking into account the work of diverse international meetings and summits and the views of diverse government and non-governmental stakeholders. The mandate of the Independent Expert has been renewed twice, each time for a period of three years, by the UN Human Rights Council, the successor body to the Commission on Human Rights.

The present report provides details of the activities and progress of the mandate that I need not repeat here. I would instead invite your attention to one of the central tasks of my mandate—the elaboration of a draft declaration on the rights of peoples and individuals to international solidarity. I would like to begin by providing you with a brief overview of this process, leading up to where it currently stands.

At its 9th, 12th and 15th sessions, the Human Rights Council requested its Advisory Committee to prepare, in close cooperation with the independent expert, inputs to contribute to the elaboration of the draft declaration on the right of peoples and individuals to international solidarity, and to the further development of guidelines, standards, norms and principles with a view to promoting and protecting that right. The Advisory Committee established a drafting group, which culminated its work in 2012 producing a Final paper on human rights and International Solidarity (A/HRC/21/66).

In 2011 after I assumed my functions as independent expert, the Human Rights Council requested the Office of the United Nations High Commissioner for Human Rights to convene a workshop on human rights and international solidarity, for an exchange of views on, inter alia, the gender implications of international solidarity, the impact of a right to international solidarity, the role of international solidarity in achieving the Millennium Development Goals and the realization of the right to development, with the participation of representatives from all interested States, the current Independent Expert, the members of the Advisory Committee dealing with that issue, and civil society. Consequently, an expert workshop on human rights and international solidarity was held by the OHCHR in Geneva on 7 and 8 June 2012. Twenty-six experts from all regions were invited, as well as representatives of Governments, UN agencies and NGOs.

In its resolution 21/10 the Human Rights Council requested me as Independent Expert to build on the work of my predecessor to consolidate the normative framework around human rights and international solidarity; consult with Member States, United Nations organizations and other stakeholders; undertake country visits to identify best practices for the promotion of international solidarity; prepare a preliminary text of the draft declaration on the right of peoples and individuals to international solidarity through in-depth research and intensive stakeholder consultations; and to
promote the importance of international solidarity in the implementation of the Millennium Development Goals and in the post-2015 sustainable development agenda.

A central focus of my work since my appointment has been on delivering a draft declaration by 2014. In developing the draft declaration, my work has moved through the three methodological stages of, first, laying the conceptual and normative groundwork of identifying the content of international solidarity, second, moving beyond basic definitions of the concept of international solidarity towards giving meaningful content to international solidarity as a human right, and third, the preparation of the draft declaration in consultation with relevant stakeholders.

I am pleased to report that the third stage of my programme of work is proceeding well on schedule and the preliminary text of the draft declaration requested by the Human Rights Council in its 21st session last year, was completed in August 2013. The preliminary text has been circulated among all Permanent Missions in Geneva and New York, UN agencies, civil society organizations, national human rights institutions, experts, academics and other stakeholders. Input from these stakeholders will soon be consolidated and synthesized to inform the final text of the draft declaration on the right of peoples and individuals to international solidarity.

Mr. Chairperson, Distinguished delegates, Ladies and gentlemen:

The preliminary text of the draft declaration represents a significant step in progressing towards recognizing a human right to international solidarity, and to the role of genuinely collaborative, positive and preventive action among States and civil society in securing the basic human rights of those people and communities whose fundamental dignity remains unfulfilled. The preliminary text of the draft declaration is the product of an extensive consultation process with State delegations, and with civil society organizations including NGOs. Let me take this opportunity to draw your attention to some of the key features of the preliminary text of the draft declaration.

The preliminary text outlines the contours of a right of peoples and individuals to international solidarity; defines the concept of international solidarity, providing the evidence of solidarity among States as well as among and between peoples and individuals; and indicates to whom the word “peoples” also applies, aside from the dominant and more familiar paradigms.

The central nature of the right to international solidarity is articulated in Article 6 which states that the right to international solidarity is a fundamental human right by which peoples and individuals have the freedom to enjoy, on the basis of equality and non-discrimination, the benefits 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.

The preliminary text makes the point that the right of peoples and individuals to international solidarity draws on human rights norms and principles that are already codified in international legal documents and that therefore this right encompasses existing entitlements along with the obligations of States that are well-established in international human rights treaties. Further, it articulates what rights peoples and individuals have, individually and in association with others, within their territories and extraterritorially beyond national boundaries, and as provided for in human rights and other applicable international instruments.

At this point, I would like to highlight the important relationship between the right to international solidarity and another concept emphasized by the General Assembly, international cooperation, which the preliminary text focuses on in articles 8 to 10. I stress first and foremost that while international cooperation and the right to international solidarity are both essential tools for you as Member States to address some of our globalizing world’s most pressing global issues, they are analytically and practically distinct principles.
The right to international solidarity and international cooperation share a dynamic relationship in which each principle serves to complement and enhance the implementation of the other. International cooperation gives important content to the right to international solidarity and is itself shaped by international solidarity. Let me highlight several pertinent features of this relationship:

- International cooperation is a key mechanism for realizing the right to international solidarity: the central goal of the right to international solidarity in the creation of an enabling environment for the realization of human rights may only be achieved through the collective action and international agreement of States.

- The right to international solidarity also gives content to the practice of international cooperation: the right to international solidarity is especially notable for requiring a specific type of international cooperation on the part of States, offering, namely, a human rights-based approach to international cooperation and global partnerships in responding to global challenges, whereby—
  
  a) the outcomes of international cooperation agreements must be fully compliant with the existing human rights obligations of States;
  
  b) States are required to refrain in their actions of international cooperation, from imposing conditions that would hinder the realization of human rights; and,
  
  c) international cooperation is based on equal partnerships, mutual commitments and obligations, and mutual accountability.

The preliminary text of the draft declaration also recognizes that fundamentally, the right to international solidarity goes beyond the concept and practice of international cooperation and assistance. In particular we may observe the following special features of the right to international solidarity.

- International solidarity is not limited to the concept of international cooperation and international assistance, official development aid, charity or humanitarian assistance. Rather, the draft declaration frames the right to international solidarity as a much broader principle, encompassing a comprehensive and coherent conceptual and operational framework to regulate a spectrum of global governance issues, beyond the more limited instances of international cooperation in the development field, for example.

- International solidarity represents a comprehensive and cross-cutting principle embodying “the union of interests, purposes and actions between and among peoples, individuals, States and their international organizations” with the ability and potential to shape sustainability in international relations, especially in international economic relations, equal partnerships, and the equitable sharing of benefits and burdens at a deep and transformative level.

- Beyond international cooperation, the right to international solidarity requires the deployment of preventive solidarity aimed at, for example, proactively preventing and removing the root causes of inequalities between developed and developing countries, and the structural obstacles that generate poverty worldwide, and creating an overarching enabling environment where all human rights can be progressively realized.
• The right to international solidarity represents a multidirectional, rather than one-way, deployment of action, obligation and accountability, across both developed and developing countries;

• Over and above the duties of States with regards to international cooperation, the right to international solidarity, as a human right, concerns the entitlements of peoples and individuals as well as the obligations of States. As such, the right to international solidarity
  a) supports a kind of “purposive cooperation” whereby international agreements between States should be consciously orientated towards the benefit of peoples through the realization of rights; and
  b) requires that States comply with certain negative obligations in their collective actions.

• It follows that whereas international cooperation concerns relationships between States only, the draft declaration on the right to international solidarity explicitly extends its application beyond the official actions of State actors to also comprise “the actions across borders undertaken together by peoples and individuals” such as grassroots communities and transnational advocacy networks.

Numerous other issues can be appropriately considered in configuring the right to international solidarity, many of which the draft declaration will also address. These include: a consistent gendered approach in its elements, norms and principles of application; bridging global asymmetries in levels of development among countries, which are closely related to poverty eradication, and to the capacity of States to comply with international human rights obligations; promoting an international economic order based on equal and meaningful participation in decision-making processes; transnational solidarities among individuals, groups and organizations; technology transfer and capacity building; fair and just sharing of the costs and benefits of development; transparent, democratic, just and accountable international institutions; the equitable participation of all without discrimination, in domestic and global governance; respect for cultural diversity, cultural heritage and cultural rights; friendly relations among States; equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations; the right to development; and, the right to peace.

Mr. Chairperson, Distinguished Delegates, Ladies and Gentlemen:

Allow me to point out that, although this is the initial report of this mandate to the General Assembly, and this is the first time I come before you as the Independent Expert on human rights and international solidarity, this does not imply that the recognition of international solidarity as an imperative to address global challenges, is a new idea. In its resolution 60/209, the General Assembly recalled that in the Millennium Declaration, Heads of State and Government had identified solidarity as one of the fundamental and universal values that should underlie relations between peoples in the twenty-first century, and in that regard decided to proclaim 20 December of each year as International Human Solidarity Day. Since my appointment, the OHCHR has assisted me in efforts to increase awareness of the commemoration of this important day and has coordinated activities with the Office of the President of the General Assembly, the Department of Economic and Social Affairs and the Executive Office of the Secretary-General. The 2012 theme of the International Day was “global partnership for building shared prosperity”. The Secretary-General, the President of the General Assembly and I, each delivered messages, making a strong call for greater solidarity among nations and peoples, which is imperative particularly in periods of dramatic transition such as what we are experiencing today. We are presently reflecting on a suitable theme for this year’s International Human Solidarity Day.
Against the conceptual background that I have briefly presented, the significance of the contribution of the right to international solidarity to the body of international human rights law should not be understated at this particular moment in our collective history. The recognition of the right of peoples and individuals to international solidarity will certainly emerge as a powerful tool in addressing key global challenges to human rights, and in the context of the Post-2015 Development Agenda, especially as governments and peoples seek ways to begin to address the structural causes and consequences of global poverty and inequalities, which emerged as a priority from your recent meetings.

The preliminary text of the draft declaration has been designed not as an abstract set of normative principles, but as a practical and operational framework for the implementation of this right, developed through a special focus on an evidence-based programme of work. The direct input and wisdom of diverse communities already employing the practice of international solidarity to generate sustainable social change and human rights realization will be essential to creating a document capable of effective use and conducive to innovation by States and communities.

Mr. Chairperson, Distinguished Delegates, Ladies and Gentlemen:

As you go forward in your articulation of the world’s next global development agenda over the coming months, I hope you will place international solidarity at the heart of your negotiations. If I have one paramount wish for the draft declaration on the right to international solidarity, it is that this declaration be a meaningful, actionable and practical document to play its part in guiding implementation of the right, and in facilitating real ownership over this right among States, civil society and grassroots communities.

Thank you for your kind attention and for your support of and cooperation with the work of this mandate. I look forward to our continuing collaboration, in solidarity.