

COUNCIL MONITOR

International Service for Human Rights



Human Rights Monitor Series

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Report of the Independent Expert on human rights and international solidarity¹

Mandate holder

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Mandate

The mandate was established in 2005² to study the right of peoples to international solidarity and to prepare a draft declaration on the issue. This mandate also insists upon the collaboration or accounting for work done in relevant UN agencies, international organizations, and Governments as well as the annual reporting of progress. The framework stems from the Commission on Human Rights' recognition of the importance of international solidarity as a vital component of the efforts of developing countries both in the realization of the right to development of their peoples and also the promotion of the full enjoyment of economic, social and cultural rights.

Annual Report³

Scope:

The report presents an update of the Independent Expert's work, bearing in mind the short time since the previous report. It focuses on three areas mentioned in his last report: international cooperation, global response to natural disasters, and third-generation rights, and presents the idea of the right to solidarity as the right of peoples.

Summary and key conclusions:

The development of international solidarity:

- The Independent Expert outlined the concept of solidarity as closely connected with collective responsibility and collective rights, whereby the principle of interconnectedness sets the foundation for global interactions. He defined International Solidarity as 'the union of interests or purpose among the countries of the world and social cohesion between them, based upon the dependence of States and other international actors on each other, in order to preserve the order and very survival of international society, to achieve collective goals, which require international cooperation and joint

¹ Summary prepared by Alison Leon, Intern, ISHR, supervised and edited by Gareth Sweeney, Information Program, ISHR.

² Commission on Human Rights *Resolution 2005/55*, 20 April 2005.

³ A/HRC/4/8. 7 February 2007.

action'. He noted that international solidarity, in particular through the Millennium Development Goals (MDGs), could emerge as one of the major strategies to help achieve the right of peoples to a better standard of living.

- The legal basis of international solidarity could be found in, *inter alia*, Article 1(2) and 1(3) of the UN Charter, Article 55(b) of the UN Millennium Declaration, the MDGs, and the Vienna Declaration and Programme of Action.

Areas of focus:

The Independent Expert identified three areas on which to focus to develop his mandate: international cooperation; the global responses to natural disasters, diseases and agricultural pests; and third-generation rights.

- **International cooperation:** The Independent Expert saw this topic as contributing to the right to development through equality in development. The Monterrey Consensus of 2002 implied a new partnership between developed and developing countries for the achievement of the MDGs. Some practical examples of areas in which States can focus their efforts are regional initiatives, particularly in least developed countries; granting free access to the markets of developed countries for goods produced in poor countries; expansion of the debt relief programme for Heavily Indebted Poor Countries; and more accessible and predictable official development assistance.
- **Global responses to natural disasters, diseases, and agricultural pests:** The Independent Expert called for a framework of structural measures for **natural disaster relief**, which international solidarity could by definition help create. He urges States to give consideration to responding promptly to requests for assistance, and to exchange international knowledge and technology that would help disaster relief and emergency response. Regarding **disease**, he saw the promotion of health and fighting disease as a way to improve people's lives and to resonate with the MDGs. States could help by assisting countries who are battling AIDS and malaria; working with the pharmaceutical industry to develop an effective and affordable vaccine against HIV; and by helping to construct and implement targets for the reduction of infectious diseases. For **agricultural pests**, the Independent Expert called for work in bio-security, or the integration of policy and regulation for analysis and management of risk in the environment. He urged States to help strengthen support services to agriculture by improving research capabilities, granting access to credit, establishing marketing services, and ensuring that farmers' needs are accounted for.
- **Third-generation rights:** The Independent Expert presents these as collective rights, including the right to economic and social development, the right to participate in the benefits of the 'common heritage of mankind', the right to peace, and the right to a healthy and sustainable environment, *inter alia*. These currently exhibit a moral character, but their legal character could be shown to be currently evolving.

Key recommendations:

- The Independent Expert noted that actors on the world stage should aim to distribute more fairly the benefits of globalization.
- The Independent Expert affirmed that international solidarity needs to be more developed in international relations for the sake of human rights. For example, third generation rights, which are not new, need to be acknowledged in the United Nations human rights instruments to better address global challenges.
- The Independent Expert urged that more resources should be made available for the MDGs, as their goals are complimentary to international solidarity.

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