

58^o session of the Sub-Commission on the Promotion and Protection of Human Rights,
17 August, 2006, Genève

Oral statement of **Mr. Marco Aquini** on behalf of New Humanity
Agenda Item 6 (d)

International solidarity and the principle of fraternity

Mr. President,

I will refer in my statement to Agenda item 6 (d) “New priorities”. I will consider in particular the reports on “Human rights and international solidarity” prepared by Mr. Dos Santos Alves in 2004 for the Sub-Commission and by Mr. Rizki in 2006 for the Commission.

In both the reports the independent experts point out that “solidarity implies a communion of responsibilities and interests between individuals, groups, nations and States, and sometimes it appears linked to the ideal of fraternity proclaimed by the French Revolution” (see Sub-Commission report E/CN.4/sub.2/2004/43, paragraph 22 and Commission report E/CN.4/2006/96 paragraph 13).

From a human rights perspective it has to be considered first of all article 1 of the Universal Declaration of Human Rights. It states at a universal level the three principles of freedom, equality and fraternity.

According to René Cassin, one of the main drafters of the Universal Declaration, it includes the following principles: 1) the unity of the human race or family; 2) the idea that every human being had a right to be treated like every other human being; and 3) the concept of solidarity or fraternity among men” (1).

Fraternity is presented as an active principle, based on the centrality of the human being. Fraternity is therefore considered in relation to Article 29 of the Universal Declaration, which concerns the duties each person has regards to the community (2).

In the current context of globalisation, characterised by the proliferation of subjects exercising significant roles for the protection of human rights and their respect by institutional subjects especially in the economic-social sector, the principle of fraternity allows problems to be confronted in a non-particularistic or nationalistic manner, bearing in mind instead that all problems and all solutions are linked by fraternal interdependence with other populations or people.

The reports of the independent experts underline that “the notion of solidarity corresponds to the notion of cooperation, because one could only cooperate in an act of solidarity” (see Sub-Commission report E/CN.4/sub.2/2004/43, paragraph 22 and Commission report E/CN.4/2006/96 paragraph 13).

Fraternity leads to an extended enlargement of the number of subjects responsible for the duty to cooperate. This enlargement combines extremely well with the need – felt in the current international context – to ensure that civil society’s actors should be the leading players in development processes, starting from the definition of objectives at national and international level, and not only the executors of plans decided at intergovernmental levels.

It also provides qualitatively important elements for one aspect characterising cooperation for development: the idea of partnership. Creating a partnership for development is one of the objectives for reducing poverty contained in the Millennium Declaration. The Working Group on the Right of Development examined the issue of partnership during its two past sessions.

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Partnership cannot merely be restricted to an operational instrument, through which the private sector simply replaces or works with governments and civil society in cooperation for development. For this reason – we believe – partnership should be made substantial by fraternity, expressing closeness, friendship and sharing, not only at an individual level but also between public institutions and private organisations.

New Humanity is implementing many socio-development projects in various countries, based on this type of partnership, putting in contact and involving in common activities individuals and groups of different parts of the world. In these days members of New Humanity are committed to share solidarity and fraternity helping the suffering people in Lebanon and Israel.

In conclusion:

1. From a substantial point of view the issue of international solidarity in the context of human rights should have a human rights fundament. This fundament can be found in the Universal Declaration, considering in particular art.1 and art. 29.
2. From a methodological point of view it could be important that the reports on “Human rights and international solidarity” and the future work on this issue will be taken in consideration by the WG on the RTD for a positive exchange of ideas and practical applications.

Thank you, Mr. President

Marco Aquini

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Notes:

(1) René Cassin expresses these ideas in commenting the first draft prepared by the Secretariat for the Human Rights Commission. See E/CN4/AC1/SR.2, p. 2

(2) The link between fraternity and duties of the individual is clearly supported by Cassin in “*De la place faite aux devoirs de l'individu dans la Declaration Universelle des Droits del l'Homme*”, Melanges offerts a Polys Modinos, 1968, pages 478-488.

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