

NGO Name: New Humanity
 Name of main contact person: Jorge Manuel Dias Ferreira
 Phone number: +4122-794-6444
 E-mail: geneva@new-humanity.org

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Human rights, international solidarity and the principle of fraternity

1. New Humanity appreciates the decisions of the Sub-Commission on the Promotion and Protection of Human Rights in 2003 and of the Commission in 2005 to study the issue of “Human rights and international solidarity”.

The report of Mr. Rudi Muhammad Rizki underlines that “the independent expert intends to approach the issue of human rights and international solidarity through the development of a sound theoretical basis and a thorough examination of practical examples” (Commission report E/CN.4/2006/96 paragraph 9). The independent Expert also identifies three main focuses, the first of which is international cooperation, mainly, a *global partnership for development*. The second area of focus is *global responses to natural disasters* in relation to the promotion and protection of human rights. Lastly, he focuses on “third-generation rights” as *collective rights* (the right to peace, to a clean environment, to development, and to humanitarian assistance) whose promotion required concerted action by the international community. This approach has been confirmed in the report submitted by the independent expert in accordance with HRC decision 1/102 (A/HRC/4/8 advanced edited version).

2. New Humanity would like to underline that “global solidarity”/“universal fraternity” **is not only an occasional and solidarity action in favour of those who (persons, groups or peoples) are in necessity** (because of natural disasters, underdevelopment...). It is a conception of human relations among persons, groups, peoples and States. It is the expression of a fundamental moral principle found in virtually all major religions and cultures: “*treat others as you would like to be treated.*” It is a theoretical conception of all human rights and fundamental freedoms that needs to be studied in dept:

- 1) The founding function of human dignity¹.
- 2) Human dignity as expression of the unity of humankind
- 3) All human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing².

¹ K. Dicke, “The Founding Function of Human Dignity in the Universal Declaration of Human Rights” in D. Kretzmer/E. Klein (eds), *The Concept of Human Dignity*, The Hague, 2002, p. 114.

² General Assembly, A/RES/60/251, 3 April 2006, *Preamble*; Vienna Declaration and Programme of Action, párr.5, A/CONF.157/23, 12 July 1993: “All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis”.

3. According to “the principle of subsidiarity” not only States are responsible for the promotion and protection of human rights. Fraternity leads to a potentially extremely extended enlargement of the number of subjects responsible for the fully realization of human rights. This enlargement combines extremely well with the need – felt in the current international context – to ensure that civil society’s actors should be the significant players in this process. International community is also responsible for the promotion and protection of human rights when national protection failed.

4. In sum, from a theoretical point of view, we suggest to consider these other two topics in the context of its mandate:

- 1) The relations between human rights in their interpretation and effective realization (*“relational approach to human rights”*)
- 2) The exploration of “the principle of subsidiarity” in International Human Rights Law.

5. New Humanity has many experiences and projects in the fields of development and assistance in occasion of natural disasters (for example after the Tsunami), in which the focus was posed on the fraternal relationship considering all the aspects of realization of human dignity. Fraternity implies in fact to understand who the other subject it wishes to cooperate with is, in all its characteristics, potential and richness, limitations and needs, paying attention to aspects of not only economic global development. To achieve this is it necessary to put aside ones one development categories and parameters, to identify with those of the subject one intends to cooperate with, so its route to development may emerge or so that this fraternal relationship may allow other needs and perspectives until then not obvious, to emerge.

6. Finally, we think that the development of principle of fraternity in international law and international relations is the way to enforcement article 28 of the UDHR which states that “everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized”.