



Statement by His Excellency Ivan Jurkovič
Permanent Observer of the Holy See to the United Nations and Other International
Organizations in Geneva
at the 35th Session of the Human Rights Council

Side event

**Right to International Solidarity: Meeting between the Independent Expert and Civil
Society - APGXXIII**

Geneva, 8th June 2017

Distinguished Panellists, Ladies and Gentlemen,

I am pleased to share with you some thoughts on the right to international solidarity, in particular having regard of the work done by the Special Rapporteur over the last six years.

Let me begin by thanking Ms. Virginia Dandan, Special Rapporteur on Right to International Solidarity¹, for providing a draft declaration on the right to international solidarity at the end of her mandate.

Dear Friends,

For the wellbeing of our human family and the promotion and protection of the common good there is an urgent need to recognise the role of international solidarity as a fundamental element for the enjoyment of human right by all people. During the preparation phase, expert group meeting included significant discussion on the relevance of a draft declaration on international solidarity at a time of rising nationalism and fragmentation around the world. Despite political sentiment that focused on divisions, humans existed in a state of interconnectedness and interdependence and that there were global challenges that could not be resolved without international solidarity.

Solidarity is a broad term, which can be used with different meanings. The existent literature uses solidarity in several ways, the first point to be clarified is whether the concept of solidarity is best qualified as a fact and condition, a principle, a right, and/or a

¹ A/HRC/34/51

value”². “Solidarity as a **fact or condition** refers to the sociability of states as opposed to their autonomy or self-sufficiency. [...] solidarity as a **principle**, or as a structural principle highlights the inner structure of international relations and the suitability of this principle in shaping the application of international relations, and to evaluate the scope and importance of this principle in relation to other principles of international law, such as sovereignty, subsidiarity, good faith, and equity. [Solidarity as a **value** means to use it as a normative criterion for evaluating and judging the rightness of a given set of facts, and for fostering measures to strengthen cooperation. To qualify solidarity as a **right** implies how it expresses a legitimate claim (of justice), and a correlative positive duty to act or refrain from acting”³.]

Today, solidarity is often used as a “weak legal principle, virtually always giving way to other principles and especially that of sovereignty and consent. One could quite reasonably argue that solidarity should be accorded more importance and weight as a principle of international law than it is at present. [...] it is an argument implicitly relying on solidarity as a fundamental moral value, to which law ought to be responsive”⁴.

The Holy See contribution might help to give a new and deeper understanding of solidarity. As a moral principle, “solidarity requires that men and women of our day cultivate a greater awareness that they are debtors of the society of which they have become part. They are debtors because of those conditions that make human existence liveable, and because of the indivisible and indispensable legacy constituted by culture, scientific and technical knowledge, material and immaterial goods and by all that the human condition has produced”⁵. As Pope John Paul II stated in 1987: “Solidarity is ethical in nature because it involves an affirmation of value about humanity. For this reason, its implications for human life on this planet and for international relations are also ethical: our common bonds of humanity demand that we live in harmony and that we promote what is good for one another”⁶. Thus, solidarity is not only a moral principle, but also a moral value.

More, In the *Caritas in Veritate*, Pope Benedict XVI uses solidarity “to indicate a common basis of action for a common purpose”⁷. This interpretation of solidarity becomes crucial in a world where “the full development of human persons and communities is so evidently unrealized and constantly under threat”⁸, and in this sense solidarity might play a great role in international law and international relations, as “[w]ithout it, the universal

² Carozza, P. G. e Crema, L. “On Solidarity in International Law”, *Caritas in Veritate Foundation*, 2014, par. “Solidarity and international law today”, page 8

³ *Ibidem*, par. “Qualifying solidarity”, page 8

⁴ *Ibidem*, “Abstract”, page 2

⁵ Compendium of the Social Doctrine of the Church, 2004, Chapter IV “Principles of the Church’s social doctrine”, Sect. VI “Principle of Solidarity”, par. 195

⁶ *Message of His Holiness Pope John Paul II for the celebration of the World Day Of Peace*, 1 January 1987, “Development And Solidarity: Two Keys To Peace”, par. 7.

⁷ Carozza, P. G. e Crema, L. “On Solidarity in International Law”, par. “On Solidarity in the Social Teaching of the Catholic Church”, page 17

⁸ *Ibidem*, page 18

common good cannot be realized, no matter what degree of material interdependence may come about through the processes of globalization”⁹.

[The International Community is currently facing many challenges such as migration, climate change and natural disasters, armed conflicts and the growing gap between poor and rich. Looking at those issues, we are convinced that international solidarity represents the only effective answer to tackle them. Men and women of our day are required to cultivate a greater awareness, that they are debtors of the society of which they become part. They are debtors because of those conditions that make human existence livable, and because of the indivisible and indispensable legacy constituted by culture, scientific and technical knowledge, material and immaterial goods and by all that the human condition has produced.¹⁰ As His Holiness Pope Francis stated in 2017, solidarity is not just social work, but it should, I quote, “*become the default attitude in political, economic and scientific choices, as well as in the relationships among individuals, peoples and countries.(...) Only by educating people to a true solidarity will we be able to overcome the “culture of waste”*”¹¹.]

Solidarity does not oppose sovereignty; instead, it pushes for a new understanding of the concept of sovereignty as an expression of the freedom of people. Solidarity is not only a duty but a moral value which stems from the principle of human fraternity. Solidarity is an unconditioned care to the other and it requires the engagement of individual, private, national and international actors in order to ensure the full realization of human dignity and the common good, meaning to the good of all and of each individual, because we are all responsible for all. Thus, we call upon the necessity to implement and strengthen the principle of the responsibility to protect especially towards the most vulnerable ones.

International solidarity implies the participation of individuals in decision making processes and, in particular, the recognition of the principle of subsidiarity, which is closely linked to solidarity and vice versa. In fact, the former without the latter gives way to social privatism, while the latter without the former gives way to paternalist social assistance. Subsidiarity means assistance to the human person via the autonomy of intermediate bodies.

Dear Friends,

[Let me conclude by thanking the Independent Expert highlights the importance of preventive solidarity, that has the potential to address the core need for justice and equity at the national and international level, has been retained in the draft declaration and made

⁹ Carozza, P. “The Universal Common Good and the Authority of International Law”, *Logos: A Journal of Catholic Thought and Culture*, 9, 2006, pp. 28–55

¹⁰ Compendium of the Social Doctrine of the Church, 2004, Chapter IV “Principles of the Church’s social doctrine”, Sect. VI “Principle of Solidarity”, par. 195

¹¹ Pope Francis, “Why the only future worth building includes everyone”, *TED Ideas*, 25 April 2017.

clearer by introducing the concept of “reactive solidarity” echoing the resolution A/HRC/RES/15/13 that states: “ideally, solidarity should be preventive rather than simply reactive to massive irreversible damage already caused, and must address both natural and man-made disasters”. 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. Preventive solidarity aims to remove the root causes of asymmetries and imbalances within and between countries. An example of preventive solidarity would be the full implementation of the 2030 Sustainable Development Agenda.]

There is an urgent need to remove the root causes of asymmetries and inequities between and within States and the structural obstacles and factors that generate and perpetuate poverty and inequality worldwide. This can foster peace, security and development based on the promotion, protection and fulfillment of all human rights and end any kind of discrimination and social injustice. Looking at our common challenges *“Solidarity is the most effective antidote to modern forms of populism. Solidarity entails the awareness of being part of a single body, while at the same time involving a capacity on the part of each member to “sympathize” with others and with the whole. When one suffers, all suffer”*¹².

¹² http://w2.vatican.va/content/francesco/en/speeches/2017/march/documents/papa-francesco_20170324_capi-unione-europea.html