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Written statement* submitted by Associazione Comunita Papa Giovanni XXIII, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2019]

* Issued as received, in the language(s) of submission only.



Multilateralism and Human Rights

Associazione Comunità Papa Giovanni XXIII (APG23) welcomes the initiative of focusing the Annual high-level panel discussion on human rights mainstreaming on the theme “Human rights in the light of multilateralism: opportunities, challenges and the way forward”.

It is undeniable that multilateralism in our world is under threat. The withdrawal of some powerful states from multilateral agreements such as the Global Compact on a safe, orderly and regular migration, the return to bilateralism, the rising power of exclusive clubs and attempts by States to restrict human rights by referencing national laws, religions, customs or traditions are just few examples of the attacks to multilateralism. There is also a weakening of international solidarity testified by the closing of borders and the walking away from rules and international laws.

Indeed, if the late 20th century was an age of coming together, the early 21st century looks like being an age of drifting apart.

The UN Secretary-General António Guterres, in his address to the General Assembly on 25 September 2018, painted a bleak and commonly held perspective on our times:

“World order is increasingly chaotic. Power relations are less clear. Universal values are being eroded. Democratic principles are under siege. The rule of law is being undermined. Impunity is on the rise, as leaders and states push the boundaries at home and in the international arena. We face a set of paradoxes. The world is more connected. Yet societies are becoming more fragmented. Challenges are growing outward. While many people are turning inward. Multilateralism is under fire precisely when we need it most.”

The President of the General Assembly, Ms María Fernanda Espinosa Garcés emphasized that UN Member States should focus on a synergistic approach to the work of the UN, especially for those issues “which cannot be addressed except through multilateral cooperation”, such as “protracted humanitarian crises, climate change, human trafficking, sustainable development, large scale human rights abuses, and threats to peace and security”. She also said: “Multilateralism is the only possible answer to the global problems we face. Weakening or putting it in question only generates instability and bewilderment, distrust and polarization”¹.

We fully agree with the GA President statement on the fact that multilateralism and multilateral cooperation are the only possible answers to the current global problems. We are convinced that multilateralism is pivotal for delivering the 2030 Agenda on Sustainable Development, for the implementation of the two Global Compacts², for the commitments taken in the Climate change agreements and for advancing the respect and fulfilment of human rights, including the right to development, in the world. Such political declarations even if not of binding nature, represent great opportunities to promote human rights in the light of multilateralism.

Multilateralism is, first and foremost, about upholding the UN Charter, observing international law and the basic norms governing international relations and honouring international agreements reached upon through negotiations. The United Nations has multilateralism at its core³ and is more necessary now than ever. Anyhow, there is need to make the UN stronger by speeding up the reforming process in the domain of its three pillars, namely peace and security, development and human rights, in its internal management and by an increased financial support.

In a world that is changing so rapidly, we think necessary to deeply analyse the main causes that challenge the traditional conception of multilateralism such as, among others, the

¹ Opening speech of the President María Fernanda Espinosa Garcés at the High-Level Segment of the 73rd General Assembly

² Global Compact on a Safe, Orderly and Regular migration and Global Compact on Refugees

³ United Nations Charter, articles 1 and 2

global shift in power and ideas, the increasing role of non-state actors, the weakened sovereignty of States, the growth of regionalism, the rise of non-Western powers, and the increasing fragmentation of traditional UN-based global governance mechanisms.

It is time, in our opinion, to move toward a new form of multilateralism adjusted to our current times. A multilateralism that bases itself on the establishment of international normative and reporting frameworks that encourage states to act responsibly and to mobilize their whole society - including business, civil society, academia, and science -, in the awareness that many of the collective responses required to meet today's challenges are no longer within the power of states to deliver singlehandedly.

In this regard, the Agenda 2030 for Sustainable Development gives both in the process that has led to it and in its vision, important messages toward this new form of multilateralism. In fact, it affirms the need of sustainability, and accountability, it breaks down with its universality the divide between North and South, developed and developing countries, donors and recipients; it breaks down siloes by advocating for integrated solutions that extend across development, peace, environment, and humanitarian domains. It also goes in the direction of including all the stakeholders in the means of implementation and in the resources mobilisation.

What we need is a people-centred and inclusive multilateralism that put the respect of human rights at the core of any action, agreement and policy and seek above all for the common good of the human family.

In several occasions⁴, Pope Francis expressed the concept that the building of a fair society and of a stable and lasting peace is impossible without the conscience of fraternity. He also emphasised that there is need “for a new vision aimed at promoting a humanism of fraternity and solidarity between individuals and peoples.” and that “that fraternity remains the unkept promise of modernity.”

On the international level, fraternity is behind the emerging concept of “solidarity rights”⁵, individual and collective rights that comprise, inter alia, the right to development, the right to a healthy environment, the right to peace declared in 2016 by the General Assembly and the proposed right to international solidarity.

In particular, fraternity is translated with the principle of international solidarity that is explicitly mentioned in the Charter of the United Nations, in the Universal Declaration of Human Rights⁶, in the Conventions on Civil and Political rights and on Social and Economic and Cultural rights, in the Vienna Declaration and Program of Action, in the rationale for the most recent consensual declarations⁷ and in all the instruments relating to humanitarian law and human rights law. This principle is seen as an indispensable requirement in the solution of inequalities and for good international and multilateral relations.

As APG23, we think that time has come to move from the principle of international solidarity towards a right of individuals and peoples to international solidarity. This is for the very survival of all humanity and for facing the challenges posed by our globalised and interconnected world such as, inter alia, the current unprecedented migration flux, climate change that creates so many victims of natural disasters, increased inequities between and within countries and the threat posed to the concept of sovereignty and political power of States by the supremacy of finance and economics. The problems confronted by any contemporary society can no longer be met by even the most resolute action of any single state and individual states acting alone can no longer satisfy the human rights obligations

⁴ Message for the World Day of Peace in 2014 “Fraternity, the foundation and pathway to peace”; Annual Christmass address in 2018; Letter addressed to the President of the Pontifical Academy for Life on the 25th anniversary of its foundation; Adress of His Holiness Pope Francis to the Members of the Diplomatic Corps accredited to the Holy See for the Traditional Exchange of New Year, 7 January 2019

⁵ Karel Vasak, Inaugural lecture at the International Human Rights Institute in Strasbourg, 1979

⁶ UDHR, art.1, art.28, art. 29

⁷ Millennium Declaration, 2030 Agenda for Sustainable Development, Paris Agreement, Sendai Framework for Disaster Risk Reduction 2015-2030 etc.

requested by (even) the two covenants. Furthermore, 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.

Interconnectedness and interdependence make the “butterfly effect”⁸ more and more real. Such interconnectedness can become a source of confrontation and even conflict unless there is a conscious commitment to lead this process of globalization toward a win-win solution through the strategy of solidarity and multilateralism.

Solidarity is neither charity nor welfare; it is an understanding among formal equals that they will refrain from actions that would significantly interfere with the realization and maintenance of common goals or interests. Solidarity requires an understanding and acceptance by every member of the community that it consciously conceives its own interests as being inextricable from the interests of the whole. No state can choose to exercise its power in a way that gravely threatens the integrity of the community. This principle would have an obvious impact on economic law; larger, more powerful capital-exporting states could not, by placing their own interests first, significantly interfere with the interests of smaller, weaker countries. Similarly, in the environmental domain, no state, whether developed or developing, could significantly interfere with the general interest of the community by asserting that its narrower national interests comes first.

If we intend solidarity in terms of love, charity and generosity, these are, of course, all values that cannot be imposed but only proposed and chosen. On the contrary, the right to international solidarity derives from the principle of human fraternity recognised with the foundation of the United Nations and stems from the need to restore justice and equality. So, it is not a matter of charity but of justice!

Multilateralism and international cooperation, when well intended and applied, are an expression of international solidarity. Enhancing multilateralism will mean exercising the “preventive solidarity” that addresses the root causes of poverty and injustice.

Indeed, all the people “left behind” in our world and our mother hearth must not wait any longer!

⁸ Edward Lorenz: paper entitled *Predictability: Does the Flap of a Butterfly's Wings in Brazil set off a Tornado in Texas?*, to the American Association for the Advancement of Science in Washington, D.C., 1972