

International Solidarity. Yesterday's ideal or emerging key norm?

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The idea of international solidarity was implicit in the UN framework from the very beginning. It is also called upon frequently in political declarations. But it took until the late 1990s for the term “solidarity” to finally find its way into universally agreed documents. The UN Millennium Declaration explicitly referred to solidarity as one of six fundamental values in international relations. Ironically, it was adopted at the end of a decade of cooperative multilateralism. Subsequently, solidarity seemed to lose its relevance as a guiding principle of international politics. Furthermore, there is no clear-cut definition of international solidarity in international relations. So is international solidarity yesterday's vision? Or are we witnessing another turning point in history in response to the current crises, leading to a revival

of international solidarity? What is its meaning in practice? These and further questions were explored at the International sef: Expert Workshop 2016. Moreover, participants discussed the significance of international solidarity for the 2030 Agenda for Sustainable Development and the Paris Agreement, in current refugee policies, as well as for South-South cooperation

The multifaceted meaning of solidarity

In 2005, the UN General Assembly proclaimed 20 December of each year as International Human Solidarity Day. In the same year, the UN Commission on Human Rights established the position of an Independent Expert on human rights and international solidarity. However, 11 years later, the international community still has not been able to agree on a definition of international solidarity.

Unsurprisingly, this also posed a challenge to the sef: Expert Workshop. While most participants had a more or less specific idea of what they meant when using the term “international solidarity”, they all agreed that the concept remains ambiguous and fluid with different connotations. Attempts of a definition ranged from “solidarity is another word for fraternity” or “solidarity could be translated as empathy made actionable” to “solidarity means a common struggle to change a specific situation” or “solidarity is a sense of co-responsibility for the well-being of others coupled with a sense of standing in the shoes of the other”.



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Participants widely agreed that solidarity stands for a specific form of interaction – without specifying its objective. Solidarity therefore is not per se “good”: “The alliance of right-wing anti-immigration parties is as much an act of solidarity among like-minded as the struggle for a decent treatment of refugees by human rights activists”, one speaker noted. Furthermore, solidarity can be inclusive and exclusive at the same time – it can bring together certain groups or communities while excluding others. While having a universal potential, the strongest expressions of solidarity are actually often met in small entities.



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Another question that came up was whether international solidarity stood for solidarity among states only. Some participants preferred such a limitation while others countered that solidarity in connection with human rights, for example, cannot be limited to states only. Instead, it would always have to include peoples or even individuals. Participants came up with examples for both, e.g. China's support for the AU Charter's principle of non-indifference to mass violations of human rights vs. the solidarity of Southern African governments with the illegitimate regime in Zimbabwe. The overwhelming feeling was, nevertheless, that self-interest of governments tends to outweigh solidarity with the people.

Others associated international solidarity rather with non-governmental alliances in the social arena – which then would be better described as transnational solidarity. One participant defined solidarity among states as a political concept or strategy whilst solidarity among people would rather be a spiritual or practical concept.

Looking at history furthermore showed that international solidarity was not a static but a dynamic concept. It has always seemed to be connected to a specific historic context generating different types of solidarity such as emancipatory solidarity (workers'

movement/decolonization), compensatory solidarity (within Regional Economic Communities), ideological solidarity, etc. Why else, for example, do we connote solidarity with South-South cooperation but not with North-North cooperation? Furthermore, solidarity obviously also differs depending on our collective identity as can be seen from comparing Western reactions to terror attacks in Paris vs attacks in Iraq, Pakistan, Nigeria etc.

Despite being a blurred concept, most participants felt that there might be a growing importance for international solidarity as the world is drifting more and more apart. This was in particular true for the political practitioners. Most researchers remained more skeptical regarding the increasing relevance of the concept. International solidarity was generally seen as a powerful political concept with a high risk of misuse. Misuse sometimes even leads to an illegal act, as the example of the War on Iraq showed. It was declared as an act of solidarity with the suppressed – probably not more than a fig leaf for the missing legal basis.

One speaker therefore named three critical features for international solidarity to be regarded as honest and successful: First it requires a request by those who should benefit; second it requires trust; and third it requires leadership. In other words: To make sure that it is not an expression of domination or paternalism, beneficiaries need to be in the driving seat, they need to define the criteria, they need trust. When it comes to solidarity among states, NGOs have an important role in holding the respective governments accountable.

A (human) right to international solidarity – or a right to emergency assistance?

Against the background of the unclear definition of international solidarity, its ambiguous character and its potential misuse, participants fiercely debated its potential legal nature. Regrettably, the UN Independent Expert on human rights and international solidarity who is currently revising the draft UN declaration on the right to international solidarity was prevented from attending the meeting at short notice. In a written note to the workshop participants she stated that in the declaration's concept of international solidarity as a right, states would be right-holders as well as duty-bearers. Those states supporting the declaration see it as an enabling instrument to level the playing field towards friendlier, more equitable and just international relations. Those opposing it believe that solidarity does not meet the requirements of a human right.

Is the right to international solidarity an indispensable component to realize all human rights, includ-

ing the right to development, as stated in the draft declaration? At least, the declaration would intrinsically tie international solidarity to a specific purpose, namely fostering peace and security, development and human rights by requiring all states to respect international human rights standards. According to this concept, two features are necessary to achieve international solidarity: preventive solidarity (as a substantive component) and international cooperation (as an operational component). The Independent Expert clearly supports a claimable right to international solidarity. In her perspective, such a right could enable people to derive their benefits from human rights law. Reacting to skepticism whether such a right would have any impact, she refers to the International Covenant on Economic, Social and Cultural Rights which was originally considered to be mere moral aspiration but was then able to unfold its power to shape policies.

Regardless of their professional, regional or academic background, participants of the workshop were not



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convinced by this argumentation. Their skepticism about a right to international solidarity was mainly rooted in the feasibility of such a right as well as its desirability and its potential benefit. What would be its additional value in comparison to existing human rights law or the right to development? Would it not simply be a duplication, one participant asked. If it mobilised means for realising these existing rights, then it could be worthwhile, another answered.

But can people be forced to act in solidarity? Would this still be solidarity? There was general consent in the room that a right to solidarity would not be enforceable. Furthermore, it remained unclear what the content of such a right would be and how it could be defined. A modern law of solidarity was not beyond imagination, one speaker said. But it would need much of Utopian courage, he added. It could work as a legal umbrella which does not give anyone an entitlement to solidarity (which would remain a political decision) but which could be used by courts if they have to trade off different rights against each other.

Finally, one speaker claimed that a right to emergency assistance would be more necessary and also feasible. It could also represent an alternative to the Responsibility to Protect which was described during the workshop as a global obligation to act derived from global solidarity. But then, as well, the question remained whether reference to solidarity was needed to constitute a right to emergency assistance or whether human rights served as a sufficient justification.

SDGs and Paris Agreement: expressions of international solidarity?

The adoptions of the 2030 Agenda for Sustainable Development as well as the Paris Agreement on climate change have frequently been described as expressions of a new spirit of international solidarity. Many of the workshop participants saw these two agreements as quite unique examples of solidarity in a time when the world is drifting apart. In particular the universality of the 2030 Agenda and its sustainable development goals (SDGs) completely changed the way of thinking of international cooperation, one speaker said. The focus is no longer on aid and poverty reduction but on a new and more equal form of cooperation and global sustainable development. Accepting the other as an equal creates a new collective identity and a new narrative, defining all countries as developing countries in different stages.

Besides solidarity being embodied in the narrative of progress of the 2030 Agenda (“leaving no one behind”), one speaker also underlined its manifestation as a legal principle of procedural (e.g. global partnerships) and substantial nature, for example, in the principle of common but differentiated responsibility or in the provision of financial resources.

Another speaker stressed the need for a new type of common thinking, also in practical development cooperation. Aid as practised for decades had nothing to do with solidarity, it was mostly dictated, he added; what was needed was a new kind of support. As an example, he mentioned the development of renewable energy supply in Africa. Assisting Africa in building up such an infrastructure would be to the benefit of the whole globe.

Other speakers challenged the kind of vision that the SDGs and the Paris Agreement represent regarding solidarity. Is it transformative solidarity? Then we would also start discussing the rules of the global economic order, a new global financial regime, etc. But this is not the case. Instead, the extent of solidarity seems to stay within a certain comfort zone. Some voices even raised the question whether these examples of solidarity rather equaled enlightened



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self-interest. If we build a collective identity against a common threat, are we then in solidarity with ourselves, one participant asked. Others did not see a contradiction in combining solidarity and enlightened self-interest as long as the respective arrangements are fair.

Political practitioners, in particular, saw self-interest as the driving force behind many norms. In their view, one could argue for a new spirit of solidarity in the 2030 Agenda. “We speak about it, and we also practise it – in different degrees”, they continued. However, international institutions are all from a pre-2015 world, one participant pointed out: “To move on to a next level, they urgently need to be transformed; without such a transformation, we will end up in a pre-2015 world again.”

Refugee policies – solidarity with whom?

When thinking about solidarity towards refugees, two contrary images come to mind. On the one hand, there is the image of a large number of people welcoming and helping refugees, showing their solidarity with those who have left everything behind – in many countries of the world. On the other hand, there is a clear trend towards closing borders and towards a policy of deterrence against people trying to reach their country of destination.

Within the European Union, solidarity among member states with regard to an equitable burden-sharing has long been missing. Spain, Italy, and Greece – these countries have been left high and dry by their fellow European countries for years. Today’s European refugee policy is even characterised by an increasing lack of solidarity, as several participants noted. Current attempts to externalise the refugee problem in combination with containment strategies have a negative impact on state – but also societal – solidarity. Instead of acknowledging systemic root causes of displacement and forced migration – such as inequality within and between societies – and Western responsibilities, the EU aims at cooperating with countries of origin and transit countries to retain refugees in these countries or to repatriate those who have managed to reach Europe. True solidarity would imply tackling root causes, as well as developing a comprehensive peacebuilding strategy. Cynically speaking, one speaker noted that there is a lot of solidarity among countries in creating a cooperative deterrence strategy.

On the other hand, states do present themselves as humanitarian actors pretending to act in solidarity. But how is this kind of solidarity performed? As one speaker demonstrated using the example of the refugee catastrophe in the Mediterranean, the official communication policy tends to make us all spectators – spectators of attempts to rescue refugees in the humanitarian battle-field. While we relate to the rescuers, the refugees remain “the others”. The causes of their flight are not mentioned, nor is there an attempt to strengthen refugees in their capacity to speak for themselves.

This should not come to our surprise, one participant interjected, arguing that states cannot display solidarity with individuals, only societies can. Civil society organizations therefore have a responsibility to challenge states and to step in for individual human needs. If we are serious about our solidarity with refugees and if we really want to save their lives, our focus should not be on stopping migrants but on supporting them to improve their lives, *inter alia* by creating a framework that enables them to come to Europe legally, several participants argued. NGOs should contribute to this important change of perspectives, as we, in reality, are not facing a refugee crisis but a development crisis.

Should we rather focus on strengthening refugee law than on solidarity? This hypothesis was contested. As recent research by one speaker had shown, the world is divided between those countries who have signed the refugee convention and those who have not. Ironically, those who have signed the convention are also those who limit access to their territory. But why? The refugee convention obligates states to protect any refugees arriving at their borders. But there is no right to mobility; countries therefore aim at preventing people from crossing their borders.

So a right to mobility might be the missing link we need, rather than focusing on solidarity, one speaker concluded.

But even within the realm of the refugee convention, there can be situations where solidarity and even rights have objective limits, for example when a country's ability to act is completely overstrained as in the case of Hungary when all of a sudden hundreds of thousands of refugees arrived within a very short period of time. How should we deal with such a situation? There isn't an easy answer to this question – even despite the UN Summit for Refugees and Migrants in September 2016.

South-South cooperation: A prime example of international solidarity?

In political speeches and declarations, South-South solidarity has had a long tradition. It started in the 1950s as a demand for political equality and a means to overcome the historical legacy of colonisation. As such, it was a counter-hegemonic discourse. Over the decades, its focus has evolved to include economic development and more recently also ecological issues. Since the turn of the century, the Millennium Development Goals were one of the main drivers of



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South-South cooperation and solidarity, at least on the level of declarations, underscored by Southern summits of different constellations. In official wording, South-South cooperation is still seen as being “a partnership among equals based on solidarity” as expressed in the Nairobi outcome document of the South-South Summit 2009. But one participant critically asked whether South-South solidarity, in reality, had not long become a hegemonic discourse by China and India.

Most participants agreed that asymmetries have to be taken into account in South-South coopera-

tion as well as with any other form of cooperation. Furthermore, South-South solidarity does not wipe away existing ideological and political differences between countries of the global South. But until today, there seems to remain a spirit of solidarity among these countries that arises from the feeling of being on the fringes of the developed world and from the importance of having a collective voice to finally democratise the international system. As we are far away from the decolonisation phase, we might face a different kind of solidarity though, one that serves as a code for an increasing anti-American policy or one that differentiates itself from a “bad” Western way of development cooperation.

When it comes to the level of concrete actions, some speakers criticised that while solidarity was manifested in rhetoric, it was rather elusive when it came to practical cooperation. It is hard to find examples of implemented solidarity. Some speakers therefore warned against overstressing the solidarity rhetoric as it raised expectations that were not met on the ground. But then, others asked, how can we recognize solidarity in cooperation if we saw it? No clear data exists with regard to South-South cooperation, one speaker complained. It was hard to measure as it was often a mixture of public-private cooperation, he continued, but it was probably much more than most of us thought. Examples that were mentioned during the workshop included the production of medicine for HIV patients in Africa, support in greening the economy (e.g. knowledge exchange), as well as money from China and India to work towards the SDGs in least developed countries (in particular through infrastructure development). With the new BRICS development bank, the latter received an institutional framing. The bank with its equal capital and voting rights relies on existing country systems and disburses loans in domestic currencies, mainly for investments in infrastructure.

Where is the way forward for South-South cooperation? While it is not perfect and not free from being in solidarity with unjust or even illegitimate regimes, there was a feeling in particular among the participants from the South, that people in the South still have certain communalities and that they are faced with similar challenges, while others still feel threatened by the Western-driven regime of global governance.

Perspectives of international solidarity

As mentioned before, international solidarity was a founding principle of the UN, as well as a guiding principle for human rights development and decolonization. While it was contested as a global principle during the Cold War, a window of opportunity was opened in the 1990s that was closed soon again as

new divisions, often along the old North-South divide or guided by religious belief or ideology, emerged.

Against this historic background, do nations care for each other – or is it pure rhetoric? And has there been a learning process throughout history? The most impressive examples of solidarity in recent history are of transnational character, e.g. Solidarnosc or the anti-Apartheid movement. Elements of solidarity are also visible in the campaigns for the Arms Trade Treaty, the ban on landmines as well as the establishment of the International Criminal Court. These examples also show that there might well be a shared understanding of solidarity between governments and peoples.

Agreements like the 2030 Agenda and the Paris Agreement give reason for hope. There was no necessity to reinvent the wheel, one speaker clearly stated, but a need to return to the values that guide the UN charter. Then, solidarity, in the long run, could develop into an emerging norm and might be transformed from rhetoric into something meaningful – being extended also to the environment and to future generations.

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