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Rapport de l'experte indépendante sur les droits de l'homme et la solidarité internationale, Virginia Dandan

Additif

Résumé de l'atelier d'experts sur les droits de l'homme et la solidarité internationale (Genève, 7 et 8 juin 2012)*

Résumé

Le rapport contient un résumé des débats tenus lors d'un atelier d'experts qui a eu lieu les 7 et 8 juin 2012 pour échanger des vues sur, entre autres questions, la signification de la solidarité internationale pour l'égalité entre les sexes, les effets d'un droit à la solidarité internationale, le rôle de la solidarité internationale dans la réalisation des objectifs du Millénaire pour le développement et la réalisation du droit au développement, comme l'avait demandé le Conseil des droits de l'homme dans sa résolution 18/5. L'atelier, qui s'est tenu sous les auspices de l'experte indépendante sur les droits de l'homme et la solidarité internationale, Virginia Dandan, a réuni des experts de toutes les régions. Des représentants de gouvernements, d'organismes des Nations Unies et d'organisations non gouvernementales ont participé aux débats publics tenus dans le cadre de l'atelier en qualité d'observateurs.

* Le résumé du présent rapport est distribué dans toutes les langues officielles. Le rapport proprement dit est joint en annexe au résumé et il est distribué dans la langue originale seulement.

Annexe

[English only]

Summary of the expert workshop on human rights and international solidarity (Geneva, 7 and 8 June 2012)

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I. Introduction

1. The Human Rights Council, in its resolution 18/5, requested the United Nations High Commissioner for Human Rights to convene in 2012, prior to the twenty-first session of the Human Rights Council, a workshop for an exchange of views on, inter alia, the gender implications of international solidarity, the impact of a right to international solidarity, the role of international solidarity in achieving the Millennium Development Goals and the realization of the right to development, with the participation of representatives from all interested States, the Independent Expert, the members of the Advisory Committee dealing with that issue, and civil society.

2. The Council also requested the Independent Expert to present a summary of the discussions held at the workshop, in conformity with the programme of the work of the Council. The present report is submitted in response to that request.

II. Opening of the workshop and organization of work

A. Opening remarks

3. The expert workshop on human rights and international solidarity was held in Geneva on 7 and 8 June 2012. It was convened under the auspices of the Independent Expert on human rights and international solidarity, Virginia Dandan, and brought together 26 experts from all regions. Representatives of Governments, United Nations agencies and non-governmental organizations attended the public segments of the workshop as observers.¹

4. The Chief of the Development and Economic and Social Issues Branch, Office of the United Nations High Commissioner for Human Rights (OHCHR), welcomed the participants on behalf of OHCHR. He pointed out that, throughout the history of the modern human rights movement, international solidarity had been among the most powerful and essential tools of advocates and activists seeking to advance the vision of the Universal Declaration of Human Rights. The human rights movement had demonstrated repeatedly that the mobilization of international solidarity had the capacity to wrest control of the public narrative away from powerful forces that defended and reinforced an abusive status quo, and to return it to the hands of the people and those who defended their rights.

5. He said that, in response to current global challenges, international solidarity could equally build bridges to support good governance, both nationally and globally. It could help to strengthen accountability for human rights, promote democracy and the rule of law, foster sustainable development, expose inequalities within and between nations, and advance the empowered participation of people, including women, young people, older persons, minorities and marginalized groups. It could also help to build a global constituency for a more just regulation of globalization and more equitable arrangements for trade, investment, finance, aid, debt, technology transfer, intellectual property, migration, labour, environment and the global partnership for development.

6. He stressed that evidence abounded that an age of solidarity had been entered. Dramatic failures in financial governance in recent years had heightened calls for social justice, unified movements across borders and sparked calls for greater equity and

¹ The programme of the workshop and the list of participants are available from www.ohchr.org/EN/Issues/Solidarity/Pages/IESolidarityIndex.aspx.

accountability in economic affairs. He concluded by saying that OHCHR remained strongly committed to supporting the initiative, and to advancing international solidarity for the realization of all human rights – civil, political, economic, social and cultural, including the right to development.²

7. In her opening remarks, the Independent Expert thanked the Human Rights Council for the important initiative, which afforded an opportunity for experts to exchange views on human rights and international solidarity. She recognized the work of the previous mandate holder, Rudi Muhammed Rizki, who had laid the groundwork for the workshop. She reiterated the three stages of her mandate's primary task: the elaboration of a draft declaration on the right to international solidarity. The past work was to be understood as the first stage, where international solidarity had been affirmed in various ways, including as a fundamental conception of mutually reinforcing relations among persons, groups and nations, as an essential binding element that underpinned global partnerships, as a key approach to poverty eradication and as an indispensable component of the efforts to realize all human rights, including the right to development, and the Millennium Development Goals. During stage two, she would set out to develop standards, norms and principles to guide the draft declaration. Stage three would be devoted to elaborating the draft declaration, and would culminate in its submission to the Human Rights Council by 2014.

B. Organization of work

8. The workshop comprised a plenary session and group sessions. The participants were divided into three groups. Rapporteurs were chosen for each group and reported back in plenary session on the discussions.

9. The three groups were each presented with two questions to consider as a starting point and could also cover broader ground. The questions posed were as follows:

For Group A: “(i) What is the value of a right to international solidarity in addressing power asymmetries within and between States?”

“(ii) What is the relationship between international solidarity and international cooperation?”

For Group B: “(i) In a post-MDG world, what is the value of a right to international solidarity in attaining the goals of sustainable development?”

“(ii) What is the significance of a right to international solidarity in the inclusive growth paradigm?”

For Group C: “(i) What is the role of the right to take part in cultural life in shaping a right to international solidarity?”

“(ii) How does a right to international solidarity work at the local, national and international levels?”

10. The thematic areas below were distilled from the discussions and used to organize and capture the main messages, also reflecting, where possible, divergent views.

² The full text of the statement is available from www.ohchr.org/Documents/Issues/Development/OHCHRStatementWorkshop07June2012.pdf.

III. Summary of discussions

A. Content, nature and added value of international solidarity

11. It was said that analysing whether international solidarity (currently a moral principle) could be viewed as a human right was a change of paradigm. Many participants said that the concept of international solidarity was based on ethical and moral values, asking how that concept could be translated into a rights framework. It was suggested that, although consideration of the concept's legal background and basis in international norms was the best way to begin the process of translation, there was a need to ask whether international solidarity was fundamentally a principle, an imperative, a general obligation or a human right with entitlements. Participants' opinions varied, with some suggesting that international solidarity was simply a principle that served as a basis for the realization of all existing human rights. Others affirmed that the concept included two levels or dimensions: on the one hand, it had obligatory (claimable) content, and, on the other, it had a principle component that informed international policy and/or States' behaviour, but could not be defined as an entitlement.

12. One of the challenges most commonly identified during the workshop was how to define the legal content of the right, the duty bearers and the means of establishing accountability and monitoring mechanisms, especially at the local level. According to several participants, the added value of a right to international solidarity would be that the right would serve to prevent and offer redress in cases of violations of human rights in an effective and coordinated manner, that it would be a right of peoples and individuals, that it would serve as a framework for extraterritorial obligations of States and that it would imply coordination between States in human rights implementation. It could also serve as criteria for interpretation and decision when fragments of international public law were in contradiction, according priority to human rights and human dignity. It would allow for other human rights to be enjoyed, clear the way for claims for just, fair and human rights based on global governance, change the approach to cooperation from being driven by profit to being based on solidarity and contribute to peace and security.

13. Some participants said that the right to international solidarity went beyond international aid and cooperation, involved both developing and developed countries and was closely related to the right to development. It would be important to meaningfully explore how international solidarity could link individuals and peoples together, for example, by taking account of, and carefully listening to, what people expected, while stressing the interdependent value of the concept.

14. The right to international solidarity would also bring added value because it would elaborate on the obligations of States; push forward transparency in, for example, national budgets; help to shape political participation; and include traditionally excluded and discriminated individuals and groups, ranging from minorities and migrants to trafficking victims, especially the women and girls among them. Many of those issues transcended national boundaries. Addressing those issues would be one way to frame international solidarity in relation to the rights to peace and to development. In addition, at a time of weakening State power, the right to international solidarity could play a significant role in bringing people together.

15. In terms of justifying the right to international solidarity, there was no need to look beyond the various crises facing the world. If the right were in place, better tools would be available with which to tackle issues. The right could also be justified by exploring existing good practice in terms of international solidarity and by bringing in human rights standards, including non-discrimination, equality, transparency, participation and accountability of

national and international institutions and State and non-State actors. The participants stressed the importance of the concept of “preventive solidarity” as a normative framework, in particular to minimize the negative effects of crises. It could take the form of safeguards against financial recessions or of early warning systems for natural disasters, for example. The work of the International Labour Organization on the social protection floor was cited as a good example of preventive solidarity.

16. The view was expressed that it might not be useful to refer to international solidarity as a superior right, given that all rights were equally important and that there should be no hierarchy of rights. Other alternatives were to refer to it as an inherent, immanent, intrinsic or enabling right.

17. In the view of some participants, a right to international solidarity could strengthen space for participation and increase the accountability of national and international stakeholders by creating duties and obligations, including to respect cultural diversity and the right to peace. Participants stressed that the right should not be interpreted as replacing the primary responsibilities of national Governments to guarantee the rights of people within their territories. The right to international solidarity should support national policy choices, but, at the international level, could take the form of supporting participation by making data available to all via technology transfer, ensuring respect for indigenous communities and sharing research and development (e.g. in relation to access to essential medicines). Also requiring consideration in that regard was the value of solidarity and its attendant duties and responsibilities for future generations.

18. Some participants said that international solidarity was a means to an end, such as peace or sustainable development. As that implied that there were other means, they wondered what a right to international solidarity would add to the mix. One way of approaching the issue was to recognize the current global context, such as the economic power shifts and the rise of financial elites, which might entail a shift from looking at the global public good to global public “bads”. In the view of one participant, work should begin by examining the critical and compelling international issues that required multilateral solutions, especially to deal with public bads. There was a need, however, to consider the value of solidarity, to identify those stakeholders for whom it would hold value and to obtain a critical mass of support. Focus on compelling issues was required.

19. One participant questioned the purpose of having a more tangible entitlement regarding international solidarity. The right could be seen as all-encompassing and there was insufficiently clarity as to what it actually covered. An assertion that the world was unfair and that the right to international solidarity was needed to change that state of affairs would be far too ambitious, rendering the right merely aspirational and impossible to achieve. Nevertheless, while the right to international solidarity might be viewed as meaningless in normal circumstances, at the current juncture it was topical. The acknowledgement of various crises would be the trigger point at which solidarity would be required. The second point raised in that regard was that the right to solidarity would be meaningful only if it were focused on people. Countries were inward-looking and the right needed to be linked to interdependency. A focus on States would undermine the solidarity fostered by the current crises and run counter to interdependency. Reference was made to the experience of the right to development being viewed as a right of States to assistance.

20. Some participants referred to the dualism of international solidarity in that it had instrumental value but was also an end in itself. It was instrumental in that it drew attention to interdependency and the need for collective action. It also provided the means to measure the ultimate outcome (the full realization of all human rights) and was a way to guide collective action by States towards a desirable outcome. Reference was made in that regard to the Maastricht Principles on Extraterritorial Obligations of States in the area of

Economic, Social and Cultural Rights, specifically principle 30, on coordination and allocation of responsibilities.

21. In terms of added value, participants said that it would be useful to think about how the right to international solidarity could be invoked and the consequences of the denial of the right. It was also necessary to ask whether the right could actually be established. One way to tackle the issue would be to point out international obstacles to, for example, food security, such as lack of market access, in which case the added value of the right would be that people would not be harmed or prevented from realizing their human rights and that the actors responsible would be required to fulfil their obligations. When negotiating trade agreements, it would make a difference by drawing the attention of policymakers to the human rights impacts on and implications for agricultural policies or health. The right would be grounded in human rights obligations and would require, for example, human rights impact assessments and claims mechanisms. The right to international solidarity would also take care of protection gaps in relation to issues arising out of globalization, environmental problems and social determinants of health, among others.

22. One view expressed was that it might prove uncomfortable to use solidarity as an instrument to attain development goals. People did not have to be taught about solidarity as they already practised it, meaning that it was more important to recognize how it was used. The right to international solidarity would capture the ways in which solidarity was used by the public to achieve development and to push for a more revolutionary definition of the concept. Another participant cautioned, however, that imposing a right to solidarity and turning it into a State obligation might actually undermine the right because it could weaken community solidarity and make the Government solely responsible.

23. Several participants said that, in drafting a declaration, it was important to strike the correct note, tone and balance so as to be forward-looking but also to focus on what was palatable at a time of crises and what would have both strength and content. The added value of the right to international solidarity in the form of a declaration would be that the declaration would set forth interpretive principles and forward-looking text. It would also be important at some stage to look at how to muster sufficient support among Member States and civil society for the declaration. One way to build consensus was to base the declaration on the Charter of the United Nations and existing human rights obligations. It was also said, however, that no matter how the right was characterized the difference would be seen only at the level of operationalization.

B. Defining international solidarity and a right to international solidarity

24. International solidarity, according to the previous mandate holder, was “the union of interests, purpose and actions among States and social cohesion between them, based on the interdependence of States and other actors to preserve the order and very survival of international society, and to achieve common goals that require international cooperation and collective action” (A/HRC/15/32, para. 57). It was clarified that the definition was open to reformulation by the current mandate holder. The point was made that the definition suggested a focus on States, rather than on peoples, individuals and groups. The question was whether it was the right to international solidarity of States, of groups of States, of the private sector or of civil society that should be promoted. In response to one participant’s suggestion that States could not be circumvented because they represented the people, others pointed out that that view was State-centric in nature and would constrain the way in which international solidarity should be discussed.

25. The right to solidarity was defined by the Human Rights Council Advisory Committee as “a human right by virtue of which every human person and all peoples are entitled to equally enjoy the benefit from a harmonious international society with just and

fair international political and economic order in which all human rights and fundamental freedoms can be fully realized in a spirit of international solidarity and harmony” (A/HRC/AC/8/CRP.1, para. 2). The draft definition was inspired by article 28 of the Universal Declaration of Human Rights and Article 1 of the Charter of the United Nations. Some participants, however, were of the opinion that, while the draft definition was a helpful chapeau, it was difficult to formulate the right on the basis of article 28 of the Universal Declaration of Human Rights and that the added value was unclear.

26. In response to a question as to whether the objective was to define international solidarity or a right to international solidarity, it was remarked that what was required was an understanding of international solidarity in human rights terms. There was also some discussion as to whether the right existed. One suggestion was that focusing on a right to international solidarity would give greater visibility to existing concepts, especially by calling it international solidarity. Rejecting the right entirely would be a retrogressive step, given that the objective was to remind States of their obligations and to ensure that they remained responsible for adopting a rights-based approach.

27. On the elements of the right to international solidarity, existing definitions referred to unity of agreement, mutual support within a group, ties binding people together and kinship or shared values. One participant said that the right should be tangible and not only an assertion of existing rights.

28. One participant pointed out that, to develop the norm, there should be agreement on its elements, suggesting a focus on its four basic elements: subject, object, scope (including coverage and extent) and modality of enforcement (how the rights holder would exercise it). Another related aspect was the normative regime that would be created (i.e. guidelines or a declaration).

29. In any revision of the definition of international solidarity, it would be important to assess its significance and to see how various actors, including international organizations and transnational corporations, could be covered. The behavioural patterns of actors would have to be addressed, in particular the transboundary impacts of environmental, trade and migration policies.

30. Although international solidarity was often defined in terms of mutual interest, it would be useful to go further by restating that human rights were of mutual interest, focusing on the commitments made and reiterating the transcendent value of human rights. It was also essential to look for normative and accountability gaps and build on existing standards, keeping in mind the instrumental and pragmatic value of that approach.

31. There was discussion as to whether the right would have elements that did not exist in other legal documents. Many participants emphasized that the right would withstand scrutiny only if it were founded on existing legal bases. Its normative content should emanate from underlying human rights standards.

32. Participants said that, in elaborating principles related to international solidarity, it was crucial for links to be made to binding human rights standards and for key elements to be identified. One participant said that there was a need to go beyond that approach, however.

33. Many participants pointed to the existing legal provisions in the Charter of the United Nations as the foundations of the right to international solidarity, in particular the Preamble and Articles 1, 55 and 56. Several provisions of the International Bill of Human Rights and other human rights conventions also provided the legal bases for a right to international solidarity and specified elements of the right. In that regard, the right was linked to the right to self-determination in human rights instruments and the right to development elaborated in the Declaration on the Right to Development. Regional human

rights instruments would be of note in that respect. It was essential to keep in mind that international solidarity should be related to civil, political, economic, social and cultural rights.

34. One effective way forward would be to build on areas in which progress had been made and to use the fragments to move towards an analytical framework. Three areas were identified as a starting point. First, there was a need to consider work on common but differentiated responsibilities for climate change, where the notion of historical responsibility was acknowledged. Second, while there were multiple regimes operating in various spheres at the international level, there were no bridges between them and some were better protected than others. That was symptomatic of a larger fragmentation of international law and global governance. The work of the International Law Commission on draft articles on the responsibility of international organizations was referenced in that regard, in particular draft article 61.³ While voting in international financial institutions, States should not forget their human rights obligations and should be reminded of them when concluding treaties. Third, international solidarity should not be linked with negative obligations, and should go in tandem with systemic change. There must be an effective transition towards a global strategic framework to overcome systemic inertia.

35. The view was expressed that the right could be defined as a right to policies being adopted, or a “metaright”, which would be effected through impact assessments. Another suggestion was to couch the definition in the language of the right of people to have States act in solidarity to tackle common challenges.

36. In terms of legal instruments, one participant spoke of how forms of solidarity were created, describing, for example, how contracts, tax regimes, social security and welfare systems were built up. That entailed studying relationships at the global level. It was noted that many actors were struggling with ideas around global governance regimes, with multiple actors, such as transnational corporations and civil society, often promoting distinct and potentially contradictory interests. That was where international solidarity became critical, but less clear were the processes and steps that needed to be put in place to deal with those conflicts.

37. One group defined international solidarity as “the expression of unity of peoples and/or States around a shared goal and/or means, irrespective of/transcending sovereign boundaries” and “an instrument in support of the existing imperative to establish the conditions under which all individuals and peoples can enjoy and realize their human rights and under which international assistance and cooperation as well as sustainable development are guaranteed”. The group sought to capture various elements of the right to international solidarity, including linkages with sustainability, conditions for effective global governance, respect for international legal obligations and, essentially, combining both proactive and reactive elements. In addition, some participants suggested that the elements of the right should include redress in cases of human rights violations and emphasize shared responsibilities, as articulated in the United Nations Millennium Declaration and the Monterrey Consensus of the International Conference on Financing for Development. One participant, however, pointed out that the fundamental problem of the definition was that it did not go sufficiently far because economic and political asymmetries were not covered.

38. A suggestion was made to look at the problem from a shared perspective and assess the obstacles to the realization of international solidarity. In that light, one participant noted that vested interests often transcended the idea of international solidarity, given the need for a competitive advantage where trade and finance were concerned. Another wondered where

³ See http://untreaty.un.org/ilc/texts/instruments/english/draft%20articles/9_11_2011.pdf.

international solidarity would find its natural home, asking whether it would be at the level of international agencies or at the bilateral level. It was also asked who the stakeholders would be.

39. In terms of elements of a right to international solidarity, one view was that the focus should be on the principle of non-discrimination. It was pointed out that, under the World Trade Organization agreements, the most-favoured-nation principle meant that countries could not normally discriminate between their trading partners. In human rights terms, however, if people in an unequal situation were treated equally, the discrimination would be perpetuated. There was therefore a need to take proactive affirmative action to ensure equal outcomes. Through that approach, non-discrimination could be taken as a foundational principle of international solidarity.

40. In terms of conceptualization, the right to international solidarity could be seen as a right of individuals. Alternatively, the focus could be on the obligations of States, allowing individuals to challenge States if they were not fulfilling their obligations. The latter idea could, however, be intellectually indefensible, except as a working hypothesis, given that the paradox was that it was not one individual State but many States that were jointly responsible in conspiring to create a situation. One way to overcome that paradox could be through the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which, once in force, might envisage such an individual complaint.

41. International solidarity appealed at two levels. First, it was a value similar to other values, such as that of freedom. As a value it should be protected and the content of the right should be explicit. Second, if international solidarity was a vehicle for the protection of other rights, it was better to focus on responsibilities than on rights. It was clear that both dimensions were interconnected. In that sense, the concept of international solidarity was close to the Declaration on the Right to Development, which covered similar territory, focusing on development as a value to be protected and also protecting all other human rights. The same track could be followed. The entire body of human rights should be permeated by the primary values recognized in that field, but it was important and helpful to be specific and to clearly delineate the arguments.

C. Exploring the relationship between international solidarity and international cooperation

42. It was generally accepted that there was a strong link between international solidarity and international cooperation. There were, however, differences and often divergences when it came to how the relationship was viewed and defined.

43. One view was that the rationale for solidarity or international cooperation was that the actions of one country affected others, both negatively and positively, such as in the areas of financial derivatives, technology transfer, war, weapons, media and information and communications technology. Solidarity went beyond simple international cooperation, especially in terms of the way in which it was used. One participant suggested that solidarity meant empathy with or sympathy for weaker and poorer countries, individuals and groups. It therefore carried more weight than cooperation because the rationale was beyond mutual benefit. What was implied in international solidarity was emphasis on one State, which might affect other States, both in terms of negative and positive obligations and the need for positive discrimination. Solidarity could be required when two partners were unequal, with the international system coming to the defence of the weak and the poor. Building the human rights case in that regard would rely on a focus on power asymmetries and richer countries being required to assist through aid or charity and by building on common but differentiated responsibilities in environmental matters and special

and differential treatment in trade, among others. Another view was that solidarity went beyond cooperation and encompassed assisting the weak, vulnerable and marginalized groups that were oppressed and exploited.

44. The legal basis for international cooperation was strong and included the responsibility of all States not to take actions violating rights in other countries. Participants suggested referring to, among other things, the Maastricht Principles.

45. International assistance and cooperation encompassed useful aspects of solidarity that were not being articulated. Solidarity went beyond international cooperation and involved issues of structure and process. Examples were provided from the work of the Advisory Committee on enhancement of international cooperation in the field of human rights (see A/HRC/AC/8/3). The distinction was made that international cooperation was not legally a right, but a means with strong links to solidarity.

46. One view was that, although cooperation derived from solidarity, solidarity did not derive from cooperation. Some participants posited that international solidarity qualified international cooperation, and moved it away from being driven by profit. The right to international solidarity would thus serve as a corrective principle for international cooperation.

47. In terms of identifying obligations that could fall under the rubric of international solidarity, and which could be derived from the right to international cooperation, however, a number of positive obligations, modalities for supporting international solidarity and negative obligations were discussed. Positive obligations would include establishing mechanisms at the international level for the distribution of resources, such as solidarity funds; providing assistance to countries unable to cope with debts; minimizing the negative impact of globalization; cooperating to regulate financial markets; cooperating to regulate migration on the basis of solidarity; guaranteeing access to information and communications technology, especially to the marginalized and disadvantaged; guaranteeing participation in decision-making; cooperating to establish accountability mechanisms; enforcing humanitarian law; countering systemic violations of human rights, including prevention, protection, remedies and compensation to victims; and protecting and respecting the human dignity of all societal groups. Negative obligations would include not adopting free trade agreements that would undermine peoples' livelihoods or other rights; not increasing or contributing to global warming; not causing the depletion of or irreparable damage to natural resources; not engaging in irregular weapons trading; and not impeding access to information and communications technology.

D. International solidarity and looking beyond the Millennium Development Goals

48. Participants discussed whether it was even necessary to consider international solidarity beyond the Millennium Development Goals, suggesting that there were sufficient other issues to be considered and not wishing to imply that the implementation of the Goals should be abandoned. It was also said, however, that because human rights did not feature in the Goals, discussions could include issues such as gender equality and how the current framework put in place by the Goals could be better attuned to human rights standards. It was pointed out that the Goals, in particular Goal 8, provided international commitments on international cooperation and development targets and that it was important to discuss the role of international solidarity in those terms.

49. Some participants raised the concept of sustainable development goals, which were to be discussed at the United Nations Conference on Sustainable Development, to be held later in June 2012 in Rio de Janeiro, Brazil. They asked whether the new framework would

provide something different or better and whether the sustainable development goals would reflect human rights. The participants focused on how the proposed declaration on the right to international solidarity could inform the evolution of sustainable development goals, suggesting that it could provide a framework in which international commitments, such as that to further Goal 8, could be pushed forward. The concept of sustainable development goals could also bring new elements to enrich the declaration because it would touch on elements critical for poverty eradication and gender equality.

E. Other areas

50. On the issue of inclusive growth, participants said that the word “inclusive” might not be the most accurate term, suggesting alternative wording such as “fair” or “critical”. Examples of non-inclusive growth, such as land-grabbing, were given.

51. Participants said that there was a need to speak of cultural diversity and cultural heritage within the framework of international solidarity. One, however, stressed that cultural diversity was not the same as cultural rights, with the former an extremely broad concept. Respecting cultural rights within and across communities was important. There were intra-cultural differences that should not be overlooked through cultural respect in intercultural differences. In that sense, there was a need to go beyond the concept of social identities and support a concept ensuring the promotion and protection of human dignity.

IV. Concluding remarks

52. The Independent Expert emphasized that work needed to begin by looking at commonalities. The idea of the workshop had not been to find a solution to all issues.

53. The participants expressed thanks to the Independent Expert for convening the workshop. Although most had found it valuable and some creative and constructive, others stressed that there had been divergent views on all the topics discussed.

54. The Independent Expert concluded by expressing her gratitude to the participants. She said that she had not intended to seek consensus, but rather had hoped that the participants would freely express themselves and exchange views to provide a rich source of knowledge. The workshop was only the beginning, and more stakeholders would be sought out and consulted. One possibility would be a civil society discussion during a forthcoming session of the Human Rights Council. She would use her time at the United Nations Conference on Sustainable Development to ascertain thoughts and feelings about international solidarity. At the sessions of the Council, she hoped to hold informal consultations with regional groups to listen and exchange views. She wished to listen to as many people as possible, including those who did not share the same convictions. She expressed regret that the present report, no matter how well it was written, could not capture the richness of the discussions and the learning, sharing and solidarity that was experienced.
