



General Assembly

Distr.: General
23 April 2024

Original: English

Human Rights Council

Fifty-sixth session

18 June–12 July 2024

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Participation of civil society organizations seeking to express international solidarity through transnational, international and regional networks

Report of the Independent Expert on human rights and international solidarity, Cecilia M. Bailliet

Summary

Civil society organizations seek to express international solidarity ideas through regional and international solidarity networks but are increasingly facing challenges, including censorship, harassment, blacklisting, investigation, deportation, financial penalization or defunding, criminal prosecution and restriction of access to digital platforms to share solidarity ideas. In the present report, prepared pursuant to Human Rights Council resolution 53/5, the Independent Expert on human rights and international solidarity, Cecilia M. Bailliet, confirms the growing trend of shrinking civic space in both the physical and the digital arenas, which has a negative impact on opportunities for expressing international solidarity. She provides recommendations to States, companies and international organizations in order to better support civil society's right to engage in the exchange of international solidarity ideas, including a recommendation concerning the creation of a United Nations digital international solidarity platform. Suppression of the non-violent expression of international solidarity will only foment violence. States should create new channels for the expression of solidarity to support social cohesion. In the present report, the Independent Expert calls upon States to collaborate in the development of international solidarity law, through the adoption of the revised draft declaration on the right to international solidarity, to provide a foundation for reopening spaces for expressions of solidarity by civil society.



I. Introduction

1. In his 2021 report entitled “Our Common Agenda”, the Secretary-General envisioned a multilateralism for the twenty-first century, one that is built on networks of global and regional institutions, as well as civil society actors, businesses, academics and others, all pursuing a deeper commitment to solidarity. The aim of international solidarity is to realize the right of all people to enjoy their human rights without discrimination or exclusion, in recognition of the inalienable principles of human dignity and equality. Expressions of international solidarity are oriented towards the transformative emancipation of vulnerable groups and individuals who are often marginalized and silenced. They concern, *inter alia*:

- (a) Accountability for violations of women’s and children’s rights;
- (b) Recognition of the rights of older persons and persons with disabilities;
- (c) Assistance to communities in response to climate change;
- (d) Protection of civilians in armed conflict and victims of terrorism;
- (e) The right to peace and disarmament;
- (f) Demand for equal rights for workers;
- (g) Fair access to housing, education, food and water;
- (h) Recognition of Indigenous territorial claims in the context of encroachment by extractive industries;
- (i) Recognition of the right to self-determination, the end of apartheid and the prevention of genocide;
- (j) Requests for equal access to vaccines and medical cooperation in health emergencies or pandemics;
- (k) Support for the protection of migrants, refugees, stateless persons, minorities and internally displaced persons;
- (l) Advocacy of non-discrimination and prohibition of hate speech.

2. The development of the methodology for the present report included input from Algeria, Azerbaijan, Ecuador, Guyana, Mexico and Mozambique. Twenty-seven civil society organizations and coalitions provided input.¹ There was an online consultation on 28 February 2024 with nine civil society organizations and three academics. A review of relevant statements and reports by the United Nations treaty bodies and the special procedures of the Human Rights Council was conducted, along with a review of the academic literature.

II. Revised draft declaration on the right to international solidarity

3. International solidarity would be strengthened through its incorporation into a universal human rights instrument to provide a framework for implementation by States, international organizations and civil society. The intrinsic relationship between civil society and international solidarity is articulated in the revised draft declaration on the right to international solidarity.² Article 3 (6) of the revised draft states that one of the general objectives of international solidarity is to create an enabling environment for empowering civil society organizations and social movements.

4. Article 4 of the revised draft sets out a framework for the recognition of the right of all persons to the enjoyment of human rights: “The right to international solidarity is a right

¹ Input was also received from the National Human Rights Commission of Nigeria and the Commission on Human Rights of the Philippines. In addition, two academics provided input.

² [A/HRC/53/32](#), annex I.

of individuals and peoples to participate meaningfully in, contribute to and enjoy a social and international order in which all human rights and fundamental freedoms can be realized.”

5. Article 5 of the revised draft points to the fact that individuals often choose to express solidarity as part of groups: “The right to international solidarity belongs to and may be claimed by all individuals and peoples, individually and in association with others, without jurisdictional limitation.”

6. International solidarity is to be interpreted within the framework of the tripartite human rights protection paradigm, which requires States not to prevent the enjoyment of solidarity or to allow private actors to deprive persons of access to the enjoyment of solidarity, as well as to take concrete measures to facilitate the enjoyment of solidarity. According to article 6 (1) of the revised draft: “All States, whether acting individually or collectively, including through international or regional organizations, have the duty to respect, protect and fulfil the right to international solidarity.” Hence, international solidarity both is a part of human rights and serves to support the enjoyment of human rights and democracy. Specifically, article 7 (4) calls upon Governments to facilitate the active and inclusive participation of civil society in the governance of solidarity: “States agree to take appropriate, transparent and inclusive action to ensure the active, free and meaningful participation of all individuals and peoples, including younger generations, in decision-making processes at the national, bilateral, regional and international levels on matters that affect their enjoyment of solidarity.”

7. The implementation mechanism outlined in article 8 of the revised draft provides a flexible framework in which States can design solidarity programmes and policies within their national institutions and then report best practices in the context of the universal periodic review:

States may give full effect to the right to international solidarity by adopting legislative, administrative, budgetary or other measures. States and non-State actors can pursue solidarity agreements to facilitate access to technology, financing and infrastructure. States and international organizations should create indicators to measure the impact of transnational solidarity actions and deliver reports to the universal periodic review.

8. A review of universal periodic review recommendations issued by States that address human rights-related solidarity initiatives supportive of civil society was conducted through a search of the term “solidarity” in the Universal Human Rights Index. The review identified 55 recommendations, including recommendations concerning the following:³

- (a) The adoption of an intergenerational solidarity policy to protect older persons;
- (b) The promotion of a solidarity-based economy to ensure an adequate standard of living;
- (c) International health capacity training and protection of vulnerable people from health pandemics;
- (d) The prohibition of the instrumentalization of racism, xenophobia and hate speech by politicians;
- (e) Respect for non-discrimination against migrants and the expansion of asylum and resettlement;
- (f) The promotion of national cohesion in the face of political, economic and social challenges;
- (g) Peaceful coexistence in multi-ethnic and multireligious nations;
- (h) Sustainable development and the elimination of poverty and social exclusion;
- (i) Awareness-raising among civil society about the impact of climate change.

³ See <https://uhri.ohchr.org/en/search-human-rights-recommendations>.

9. In addition, there are human rights solidarity-related universal periodic review recommendations falling within South-South and triangular frameworks that would be beneficial to civil society, such as the recommendation to mitigate the impact of the coronavirus disease (COVID-19) pandemic in promoting access to health care and employment opportunities and addressing inequalities and the digital divide.⁴

III. Typology of forms of civil society engagement in international solidarity: unitary versus network solidarity

10. The history of international solidarity movements is grounded in the transnational engagement of civil society actors in the context of both North-South and South-South relations.⁵ Civil society actors often collaborate across borders to express international solidarity. At present, there is concern that the space for civil society activism in support of international solidarity is shrinking. Civil society, writes Jeffrey C. Alexander, can be understood as the arena in which social solidarity is defined in universalistic terms. He explains the interrelationship of civil society and solidarity as follows: “It is the ‘we-ness’ of a national community taken in the strongest possible sense, the feeling of connectedness to ‘every member’ of that community that transcends particular commitments, narrow loyalties and sectarian interests. Only this kind of solidarity can provide a thread of identity uniting people dispersed by religion, class or race.”⁶

11. International solidarity incorporates aspects of an ethic of care and social justice rooted in civil society.⁷ It is oriented towards promoting the freedom of individuals and groups against oppression by State and non-State actors. Moreover, in accordance with the principle of self-determination, it aims to support civil society initiatives that seek to dismantle what remains of neocolonial injustice and systemic structural discrimination, violence and exclusion, in order to promote the enjoyment of democracy and human rights by all.

A. Network solidarity: international solidarity and intersectionality of civil society

12. Expressions of international solidarity seek the empowerment and emancipation of persons subjected to marginalization, exclusion, oppression or censorship as part of advocacy for respect of their human rights. That harmonizes with Carol C. Gould’s characterization of “network solidarity”, which recognizes overlapping cross-border local-to-global solidarity initiatives demonstrating a common empathy and shared aim.⁸

13. Carol C. Gould suggests that the structural oppression of marginalized groups should be tackled by intersectional, non-violent, cross-class/caste and multi-ethnic social movements and coalitions. Examples include joint solidarity initiatives between Palestinian groups, Black Lives Matter and Indigenous communities in Canada;⁹ “infrastructure of care”

⁴ [A/HRC/53/5](#), para. 134.127.

⁵ See, for example, Jessica Stites Mor, *South-South Solidarity and the Latin American Left* (Madison, University of Wisconsin Press, 2022).

⁶ Jeffrey C. Alexander, “The paradoxes of civil society”, *International Sociology*, vol. 12, No. 2 (1997), p. 118.

⁷ See Cecilia M. Bailliet, “Introduction”, in *Research Handbook on International Solidarity and the Law*, Cecilia M. Bailliet, ed. (forthcoming).

⁸ See Carol C. Gould, “Solidarity between the national and the transnational: what do we owe to ‘outsiders’?”, in *Transnational Solidarity: Concept, Challenges and Opportunities*, Helle Krunke, Hanne Peterson and Ian Manners, eds. (Cambridge, Cambridge University Press, 2020).

⁹ See Chandni Desai, “Disrupting settler-colonial capitalism: indigenous intifadas and resurgent solidarity from Turtle Island to Palestine”, *Journal of Palestine Studies*, vol. 50, No. 2 (2021); and Sandra Hudson, “Indigenous and Black solidarity in practice: #BLMTOTentCity”, in *New Framings on Anti-Racism and Resistance: Volume 2 – Resistance and the New Futurity*, Joanna Newton and Arezou Soltani, eds. (Rotterdam, Sense, 2017).

groups addressing land, water and ecological justice claims;¹⁰ local communities assisting refugee and migrant groups with limited access to health care and vaccines;¹¹ and women's groups supporting social and solidarity economy projects, as well as feminist groups empowering refugee women who have been subjected to domestic violence.¹²

14. Intersectoral solidarity initiatives can be a source of creative strategies to support diverse civil society groups.¹³ Tamara L. Lee and Maite Tapia have identified a strategy of “intersectional organizing”, which rejects identity-neutral constructions of class struggle and builds a solidarity culture through confronting the most vulnerable identities within the working class, including identities based on race, gender, disability, migration status and sexuality.¹⁴ Elizabeth Currans underscores the complexity of balancing diversity within solidarity initiatives by acknowledging the risk of miscommunication and power imbalances.¹⁵

15. International solidarity initiatives should be aligned with international human rights law on non-discrimination and equality.¹⁶ International solidarity is to be interpreted in an inclusive manner, including the full, equal and meaningful participation and representation of all women on equal terms with men, as well as of those who are marginalized and underrepresented owing to their minority, disability or other status.¹⁷ This approach has been characterized as “active solidarity” by Rachel Einwohner and others.¹⁸ Moreover, Sarah Jackson calls for “transformative solidarity”, which involves “standing in solidarity with people taking their agency as a starting point, rather than acting for people” and “looks at how human rights can be domestically, cross-regionally, and transnationally reinterpreted as a language of liberation, ensuring that it does not reproduce the hierarchies that it stands against”.¹⁹ She suggests that “solidarity can be oppositional by resisting injustice, but also propositional with a shared vision for change”.²⁰

16. This perspective has also been supported by Redi Koobak, who describes solidarity as evoking a sense of empowerment, collectivity and visionary thinking in coalitions towards

¹⁰ See Constance Gordon, “Criminalizing care: environmental justice under political and police repression”, *Environmental Communication*, vol. 18, Nos. 1–2 (2024).

¹¹ See Elizabeth Storer and Costanza Torre, “‘Vaccine populism’ and migrant assistance: on the contingency of mutual aid in Italy’s Alpine region”, *Global Policy*, 15 April 2023.

¹² See Bipasha Baruah, “Gender equality and empowerment in the social and solidarity economy”, in *Encyclopedia of the Social and Solidarity Economy*, Ilcheong Yi, ed. (Cheltenham, United Kingdom of Great Britain and Northern Ireland, Edward Elgar, 2023); and Ulaş Sunata and Selin Özsoy, “Feminization of refugee: intersectionality, solidarity, resistance”, *International Migration*, vol. 61, No. 1 (2023). Moreover, in her report on preserving, protecting, upholding and securing human rights in times of uncertainty (A/78/179), the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, called for solidarity to establish a human rights-based economy that would be supportive of civil society in times of crisis.

¹³ See A/78/185, in which the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health called for solidarity with farmers.

¹⁴ Tamara L. Lee and Maite Tapia, “Intersectional organizing: building solidarity through radical confrontation”, *Industrial Relations: A Journal of Economy and Society*, vol. 62, No. 1 (2023).

¹⁵ See Elizabeth Currans, “Forging gender and racial solidarities at trans-inclusive women’s festivals”, *Journal of Lesbian Studies*, vol. 28, No. 1 (2024).

¹⁶ See, for example, the recommendation of the Committee on the Elimination of Racial Discrimination, in its concluding observations on the combined twelfth and thirteenth periodic reports of Tajikistan, that the State party organize awareness-raising campaigns to promote tolerance, understanding and solidarity within its population towards the Roma community (CERD/C/TJK/CO/12-13, para. 16).

¹⁷ See General Assembly resolution 76/176; and Tom Montgomery and Simone Baglioni, “‘Nothing about us without us’: organizing disabled people’s solidarity within and beyond borders in a polarized age”, *Social Movement Studies*, vol. 21, Nos. 1–2 (2022).

¹⁸ Rachel L. Einwohner and others, “Active solidarity: intersectional solidarity in action”, *Social Politics: International Studies in Gender, State and Society*, vol. 28, No. 3 (2021).

¹⁹ Sarah Jackson, “Towards transformative solidarity: reflections from Amnesty International’s Global Transition Programme”, *Emory International Law Review*, vol. 34, No. 3 (2020), p. 706.

²⁰ *Ibid.*, pp. 708 and 709.

a more just future.²¹ Innovative forms of expression of international solidarity by civil society include the use of the arts and humanities to demonstrate solidarity with different vulnerable groups around the world or provide support to artists in oppressive situations.²²

B. Unitary solidarity

17. The engagement of civil society in international solidarity actions by its very nature entails the exercise of freedom of expression, assembly and association across borders. Pursuant to article 19 of the International Covenant on Civil and Political Rights, civil society actors may seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their choice. It is notable that such expression should be peaceful and non-discriminatory in nature, as article 20 of the Covenant provides that propaganda for war and advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence are to be prohibited by law.²³ The Human Rights Committee has recognized that the same standard applies to freedom of assembly.²⁴ That limitation is important in the context of solidarity, as there are civil society groups that are oriented towards exclusion and discrimination, pursuing xenophobic, racist or sexist agendas.²⁵ Carol C. Gould has identified this phenomenon as “unitary solidarity”, in which national, nativist or intragroup segregated community orientations pursue policies and actions that exclude or harm other groups in the name of a solidarity based on a shared history or culture.²⁶ These movements violate the equality principle and are often linked to negative populist or ethnonationalist agendas; hence, they cannot be considered *pro homine* international solidarity actors.²⁷

18. The phenomenon of internal political, class, religious and racial/ethnic polarization has led to a situation in which affective solidarity is often articulated for people subjected to oppression in other nations rather than for groups within one’s own country. Some of the most salient examples of affective solidarity are linked to civil society resistance groups calling for self-determination and an end to occupation; this type of solidarity is at risk of being targeted by States that view such engagement as linked to separatism and thus as constituting a possible threat to sovereignty.²⁸ International solidarity should be inclusive of local initiatives seeking to disseminate awareness of domestic marginalization, exclusion and

²¹ Redi Koobak, “How to tell your story as the story of my feminism: notes towards solidarity”, *European Journal of Women’s Studies*, vol. 30, No. 2 (2023), p. 127.

²² See Susan Banki, “Art is happening in Myanmar, and outside of it: transnational solidarity art”, *Globalizations*, vol. 20, No. 7 (2023); and Dina Elhindi and Bassmah Al-Taher, “Solidarity in roots: ecofeminism and Palestinian women”, *International Journal of Literary Humanities*, vol. 21, No. 2 (2023).

²³ See also the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

²⁴ Human Rights Committee, general comment No. 37 (2020) on the right of peaceful assembly, para. 50; and general comment No. 34 (2011) on the freedoms of opinion and expression, paras. 50–52. See also the International Convention on the Elimination of All Forms of Racial Discrimination, art. 4; Committee on the Elimination of Racial Discrimination, general recommendation No. 35 (2013) on combating racist hate speech; the Rabat Plan of Action, para. 29; and the Beirut Declaration on Faith for Rights.

²⁵ Linda C. McClain and James E. Fleming, “Some questions for civil society-revivalists”, *Chicago-Kent Law Review*, vol. 75 (2000), p. 312: “Many associations, such as white supremacist groups, gangs, and organized crime families, offer opportunities for solidarity and shared values, but these are inimical to civic virtues and democratic self-government.”

²⁶ See Gould, “Solidarity between the national and the transnational”.

²⁷ See A/75/180; A/HRC/38/52; and Kathryn Libal and Prakash Kashwan, “Solidarity in times of crisis”, *Journal of Human Rights*, vol. 19, No. 5 (2020).

²⁸ See Ather Zia, “‘Their wounds are our wounds’: a case for affective solidarity between Palestine and Kashmir”, *Identities*, vol. 27, No. 3; and Randa Farah, “Self-determination denied and contested: Palestine and Western Sahara”, in *Variations on Sovereignty: Contestations and Transformations from around the World*, Hannes Černý and Janis Grzybowski, eds. (Oxford, United Kingdom, Routledge, 2023).

oppression, in violation of non-discrimination and human rights norms on equality.²⁹ One civil society organization noted that, sometimes, it is safer and more accepted for local civil society actors to comment on internal issues than for an international and foreign organization to do so.³⁰

IV. Risks: State restrictions on civil society solidarity actions

19. There was a significant wave of international solidarity marches around the world calling for a ceasefire in Gaza and expressing solidarity with victims of the war and the terrorist attack of 7 October 2023; civil society actors and others were subjected to arrest, detention and/or fines. Public order legislation was applied by certain States to ban solidarity marches or sit-ins, thereby pre-emptively stopping non-violent demonstrations even within traditionally open societies.³¹ The European Legal Support Center reported 661 incidents of repression of solidarity with Palestine activists since 7 October 2023: 219 in Germany, 172 in the United Kingdom of Great Britain and Northern Ireland, 72 in France, 45 in Italy, 16 in Austria and 137 in other European countries. This included legal action or threats of legal action; restriction of movement, harassment, intimidation or violence; smear campaigns; threats to citizenship or residency status; disciplinary investigation, loss of employment or suspension from a position; threats to academic freedom; refusal or withdrawal of the use of a venue or cancellation of events; and defunding or financial de-risking.³² The Special Rapporteur in the field of cultural rights, the Special Rapporteur on the right to education, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the protection and promotion of freedom of opinion and expression expressed alarm at the criminalization of those expressing solidarity with victims of the war.³³

20. Civicus has reported that the civic space has been diminished around the world through the increased use of disruption of protests, intimidation, censorship and detention of civil society actors.³⁴ The Committee on Economic, Social and Cultural Rights has expressed concern about the prohibition of solidarity strikes by civil society.³⁵

21. Attacks on international solidarity actors weaken initiatives that seek to build peace through transnational civil society engagement. These anti-solidarity trends limit the scope of freedom of expression, assembly and association and risk being applied or interpreted in violation of standards on non-discrimination against minority groups. Increased levels of elected authoritarianism, democratic setbacks and the application of repressive covert actions neutralize international solidarity activists. There is an urgency to support civil society actors precisely because of their role in communicating the need for international solidarity in holding States and non-State actors accountable for human rights violations.

22. Solidarity activists (and their family members, including women and children) are subjected to reprisals, including surveillance, censorship, doxing or disinformation campaigns, media blockades, investigations, search raids of offices, confiscation and destruction of property (including documents, computers and printers), house arrest, denial of the right to open a bank account, travel bans, denial of exit or entry visas, expulsion and deportation. They are also subjected to asset freezes, restrictions on grants and funding, denial of access to education, loss of employment, blacklisting or “red-tagging”, arrest, arbitrary

²⁹ See [A/74/349](#), in which the Special Rapporteur on the rights to freedom of peaceful assembly and of association recommended, inter alia, that donors and international organizations support community-based, national and international civil society in forging connections, which can enable joint action to resist the closing of civic space (para. 62 (d)).

³⁰ Input from Finnish Evangelical Lutheran Mission.

³¹ See United Kingdom, Public Order Act 1986, sect. 14A; and France, Council of State, Order No. 488860 of 18 October 2023, in which the Council called for a case-by-case assessment by prefects of whether a protest amounts to a disturbance of public order that justifies a ban.

³² Input from European Legal Support Center.

³³ Office of the United Nations High Commissioner for Human Rights (OHCHR), “Speaking out on Gaza/Israel must be allowed: UN experts”, press release, 23 November 2023.

³⁴ See https://monitor.civicus.org/globalfindings_2023/ and <https://gppac.net/news/policy-briefs-shrinking-civic-space-latin-america-and-caribbean>.

³⁵ [E/C.12/BEN/CO/3](#), para. 29.

detention, enforced disappearance and extrajudicial killings. Often, they are labelled as threats to national security under vague laws on countering cybercrime, terrorism, violent extremism or foreign interference or with reference to public order.³⁶ Women and LGBTQI+ solidarity activists have been subjected to sexual and/or gender-based harassment and violence.

23. There are several countries that have overly broad legislation, as well as State institutions that oversee social solidarity by limiting the establishment, registration and operation of civil society organizations, with strict requirements for reporting activities and their location, as well as for the disclosure of funding partners and beneficiaries. These policies often target the political orientation, religious affiliation, gender or sexual identity, caste or nationality of the organization's members or donors, alleging that the organization violates security, public order or morals.³⁷ As a consequence, some civil society actors are forced to go into exile or to relocate or register abroad, and some organizations are completely dissolved and have their finances frozen.³⁸

24. Peace and solidarity are interlinked universal values that protect civil society. Article 3 (2) of the revised draft declaration on the right to international solidarity states that one of the general objectives of international solidarity is to create an enabling environment for "engendering trust and mutual respect to foster peace and security, promote early response and prevention of conflict, provide humanitarian assistance and engage in peacebuilding". Several thematic special procedure mandate holders issued a statement calling for the protection of civil society's international solidarity efforts for peace: "States should open civic spaces and refrain from criminalizing non-violent actions and expressions that promote international solidarity. International solidarity should not be conflated with antisemitism, islamophobia, or other movements that are examples of exclusionary, segregated unitary orientations which violate non-discrimination and equality principles."³⁹

25. The Special Rapporteur on the situation of human rights defenders has underscored the role of solidarity as a means for human rights defenders to succeed in their missions.⁴⁰

26. This trend towards polarization reveals contrasting forms of solidarity, as some civil society groups opted to advocate the protection of civilians on only one side of the conflict, in contrast to other groups that aimed to build a bridge to underscore the urgency of protecting all victims, on both sides. There is a clear need to develop international solidarity law founded on human rights and duties that would be inclusive of all and serve a bridging function to reduce divisions in order to foster cooperative dialogue and action. Trends towards censoring particular solidarity orientations should be evaluated in accordance with *pro homine* standards relating to non-discrimination and equality.

27. There is a concern that some Governments seek to arbitrarily limit the engagement of civil society in the expression of international solidarity ideas through control by State agencies, ironically referring to the duty of solidarity towards the State.⁴¹ This type of policy is contrary to the obligation to respect civil society's right to the enjoyment in good faith of a human rights-based solidarity, one that would recognize pluralistic calls for justice, reparation and equality rights as elements of the transformative discourses of an equitable society that welcomes debate.⁴² Margit Feischmidt and Eszter Neumann describe a trend

³⁶ Input from Committee for Justice and OVD-Info. See also [A/78/520](#).

³⁷ Input from Coming Out LGBTQI+.

³⁸ See [A/HRC/53/38/Add.4](#).

³⁹ OHCHR, "Support civil society's international solidarity efforts for peace: UN experts", 19 December 2023. See also [A/78/246](#).

⁴⁰ See [A/HRC/52/29](#). See also the end of mission statement of the Special Rapporteur on environmental defenders under the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, Michel Forst, on his visit to London from 10 to 12 January 2024, available at https://unece.org/sites/default/files/2024-01/Aarhus_SR_Env_Defenders_statement_following_visit_to_UK_10-12_Jan_2024.pdf.

⁴¹ See Mohamed 'Arafa, "The tale of post-Arab Spring in Egypt: the struggle of civil society against a Janus-faced State", *Indiana International and Comparative Law Review*, vol. 27, No. 1 (2017).

⁴² See *Democracy and Difference: Contesting the Boundaries of the Political*, Seyla Benhabib, ed. (Princeton, Princeton University Press, 1996). See also Nandini Ramanujam and Miatta Gorvie,

towards a “counter-associational revolution” in which Governments desist from communicating with civil society and introduce restrictive policies, such as funding cuts, restrictive laws, protest bans, surveillance and public discrediting of civil society.⁴³ They describe this negative trend as being strengthened by narratives of countering terrorism or violent extremism or by de-democratization policies and as being buttressed by State financing of proto-civil society groups that are supportive of government policies on migration and related issues. They suggest that, when Governments fail to handle crises or neglect issues or social groups, there is often a response from grass-roots solidarity organizations that seek to fill the protection gaps and apply political pressure, which may be met with repression.

28. One example is the criminalization of international solidarity actions by civil society that seek to protect refugees’ and migrants’ human rights, ranging from rescue at sea, legal representation in deportation cases and assistance in accessing food, accommodation, health care and other humanitarian needs.⁴⁴ The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families has recommended the removal of specific legal provisions in order to prevent the systematic penalization of solidarity actions in favour of migrant workers.⁴⁵ The engagement of civil society is a consequence of the protection gap created by States in their failure to effectively coordinate a holistic international solidarity strategy for migration. In addition, it is notable that civil society groups engage with non-State armed groups to pressure them to comply with international humanitarian law standards and remove mines in solidarity with civilians.⁴⁶ Another example of the criminalization of solidarity initiatives of civil society concerns access to housing. Such criminalization has been criticized by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination.⁴⁷

29. The period 2015–2022 was also marked by a wave of international solidarity marches organized by civil society organizations around the world in support of women’s rights. It is notable that women’s civil society organizations have actively sought international solidarity support, often through the use of social media but also through the use of physical spaces, such as plazas and shopping centres. Some groups use symbols, such as the green scarves used by the Green Wave and “Ni Una Menos” solidarity movements in Latin America.⁴⁸ Another example is the cutting of hair or removal of the hijab by members of the “Women, Life, Freedom” solidarity movement.⁴⁹ It is notable that, according to article 7 (2) the revised draft declaration on the right to international solidarity, States are to “undertake to support each other in the establishment of transparent institutions to address discrimination and violence against women through reporting, according to indicators that are established for that purpose”.

“Shifting ground, solid foundations: imagining a new paradigm for Canadian civil society engagement”, *Windsor Yearbook of Access to Justice*, vol. 32, No. 1 (2015).

⁴³ See Margit Feischmidt and Eszter Neumann, “The political aspects of solidarity mobilizations in the context of shrinking civil society during the first wave of COVID-19”, *European Societies*, vol. 25, No. 1 (2023).

⁴⁴ See Shalini Bhargava Ray, “Noncitizen harboring and the freedom of association”, *North Carolina Law Review*, vol. 101, No. 3 (2023). The author cites [decision No. 2018-717/718 QPC](#) of the Constitutional Court of France of 6 July 2018.

⁴⁵ [CMW/C/RWA/CO/2](#), para. 28 (b).

⁴⁶ See Pascal Bongard, “Non-traditional illustrations of compliance-generation from practice”, *Proceedings of the American Society of International Law Annual Meeting*, vol. 115 (2021).

⁴⁷ [A/78/192](#), para. 63.

⁴⁸ Maira Stefania Meneses Avella, “La Marea Verde latinoamericana: acción colectiva transnacional y ciberactivismo feminista”, master’s degree thesis, La Salle University, 2023, available at https://ciencia.lasalle.edu.co/maest_politica_relaciones/25 (in Spanish). See also Sarah Elghazi, Marion Leboucher and Robi Menu, “Accueillir dans un centre commercial: étude d’un dispositif d’urgence de lutte contre les violences faites aux femmes”, *Revue des politiques sociales et familiales*, vols. 146–147, Nos. 1–2 (2023) (in French).

⁴⁹ See Pardis Asadi Zeidabadi and Nadia Aghtaie, “The perspectives of Iranian feminists and women activists on gender equality in Iran”, *British Journal of Middle Eastern Studies*, 6 July 2023.

30. Women's rights solidarity movements are often challenged by counter-solidarity movements linked to conservative positions on family values, sexual autonomy and gender roles. Nevertheless, there are also realignments, as noted by Pardis Asadi Zeidabadi: "There were times that conservative women successfully blocked the passing of regressive legal family law legislation. These moments, though infrequent, are important because they show that regardless of political identity, there are times when women act collectively since their common interests as women supersede their other identities."⁵⁰

31. Women's civil society organizations are at high risk of being met with repression, including when they engage in intersectoral solidarity issues, such as opposition to mining projects that are considered harmful to the environment.⁵¹ However, counter-solidarity alliances between local elites and transnational mining companies are capable of defeating solidarity opposition movements of civil society organizations, including those involving Indigenous communities, thereby maintaining neocolonial structural injustice.⁵²

32. Similarly, "infrastructure of care" solidarity groups have been criminalized, as the land, water and ecological areas that they address have been identified by State actors as strategic sectors to be protected.⁵³ It is notable that the Special Rapporteur on the right to food called for the establishment of a multilateral system based on solidarity to support farmers' rights.⁵⁴ Article 9 (1) (d) of the revised draft declaration on the right to international solidarity concerns the creation of "a global enabling environment for sustainable development that is centred on individuals and peoples and is grounded in intergenerational justice and equity. This includes the increased use of sustainable agriculture and fishing, as well as the transition to renewable energy."

33. International businesses should provide mechanisms for the presentation of solidarity demands by civil society and the provision of remedies in accordance with business and human rights standards.⁵⁵ According to article 6 (3) of the revised draft declaration: "Non-State actors also have the duty to respect the right to international solidarity. Non-State actors uphold this duty also by refraining from conduct that aids, assists, controls or coerces a State or non-State actor to breach obligations under international or national law and by providing transparent, accessible mechanisms for communication and response to solidarity demands presented to them by civil society, labor unions, indigenous peoples and other groups."

V. Networks of human rights institutions, non-governmental organizations and faith-based institutions promoting solidarity

34. There are networks of national human rights institutions, non-governmental organizations (NGOs) and faith-based institutions that engage in expressing international solidarity with women, children, older persons, persons with disabilities, human rights defenders, workers, stateless persons, refugees, migrants, prisoners and detainees, victims of terrorism or violent extremism and other vulnerable groups, before national and regional bodies, as well as before the Human Rights Council, other Charter-based mechanisms and

⁵⁰ Pardis Asadi Zeidabadi, "Political identity: feminists and feminism in Iran", *Gender, Place and Culture*, vol. 30, No. 12 (2023), p. 1729.

⁵¹ See Katy Jenkins and Glevys Rondón, "'Eventually the mine will come': women anti-mining activists' everyday resilience in opposing resource extraction in the Andes", *Gender and Development*, vol. 23, No. 3 (2015); Marianna Fotaki and Maria Daskalaki, "Politicizing the body in the anti-mining protest in Greece", *Organization Studies*, vol. 42, No. 8 (2021); and Michael Dahlberg-Grundberg and Johan Örestig, "Extending the local: activist types and forms of social media use in the case of an anti-mining struggle", *Social Movement Studies*, vol. 16, No. 3 (2017).

⁵² See Anna G. Sveinsdóttir, Mariel Aguilar-Støen and Benedicte Bull, "Resistance, repression and elite dynamics: unpacking violence in the Guatemalan mining sector", *Geoforum*, vol. 118 (2021).

⁵³ See Gordon, "Criminalizing care".

⁵⁴ See [A/HRC/49/43](#). See also Donatella Della Porta, "Framing and building the commons: social movements and solidarity economy", in *Solidarity Economy: Alternative Spaces, Power and Politics*, Ana Margarida Fernandes Esteves and others, eds. (New York, Routledge, 2024).

⁵⁵ See the Guiding Principles on Business and Human Rights. See also [A/HRC/53/24](#).

the human rights treaty bodies and at international conferences. They also call for solidarity to address the increased level of inequality around the world following the COVID-19 pandemic, in addition to the human rights impact of climate change and natural disasters or environmental issues. Moreover, they call for foreign debt relief, the abolition of the death penalty and ceasefires.

35. Some NGOs focus their solidarity actions within their respective geographical regions, but others reach different regions of the world. Both national human rights institutions and NGOs recognize the importance of promoting inclusivity and intersectionality within their solidarity advocacy actions; hence, several of them seek to include the perspectives of women, youth, Indigenous communities and ethnic and gender identity minority groups.⁵⁶ NGOs and faith-based institutions often collaborate on intersectoral international solidarity issues, such as access to vaccines or the protection of women victims of domestic violence, but some groups indicated that they lacked the means to connect with other groups with similar experiences or that they lacked funding to address other topics.⁵⁷ It was noted that NGOs needed to be cautious in their solidarity expressions if there was a risk of harm to their partner communities.⁵⁸

36. National human rights institutions are important partners that serve as a bridge between local, regional and international solidarity initiatives and institutions and provide support for the core international human rights treaties.⁵⁹

37. Many States have policies to support civil society, such as “A Better World”, a development policy adopted by Ireland that provides civil society with development cooperation in keeping with “the spirit of Irish solidarity”. In its submission, Mexico noted that it has legislation supporting the right of civil society to participate in regular dialogue with the Ministry of Foreign Affairs on matters relating to international affairs. Ecuador referred to its Ministry of the Interior, which has a citizens’ council to participate in dialogue to promote better solidarity policies. Azerbaijan pointed out that it has an agency for State support to NGOs, which enables participation in events through travel grants and other funding. Guyana noted that it has a national stakeholders’ forum for consultation with civil society, as well as a youth advisory council and youth-led NGOs that are consulted and sent to international conferences. Similarly, Algeria stated that it has a high council for youth that seeks to promote social solidarity.

38. Several NGOs lack financing to provide shadow reports to human rights treaty bodies or participate in other processes, and some lack knowledge of the universal periodic review and treaty mechanisms.⁶⁰ Some NGOs note that there are significant barriers to their meaningful participation in decision-making processes, such as visa restrictions, the prohibitive cost of flights and hotels for attending United Nations meetings in New York and Geneva and the lack of physical accessibility and of the accessibility of information and communications outputs.⁶¹ Civil society organizations call for the creation of a solidarity portal for filing communications and a solidarity database for receiving information and networking with each other. Moreover, they call for a platform to include the voices of communities.⁶²

39. Civil society groups utilize different forms of dissemination for solidarity advocacy, including local and national media, online social media, email newsletters, podcasts and websites, to share solidarity information, mobilize support and connect with international partners. Moreover, they organize workshops, conferences and public forums to promote

⁵⁶ Input from Fundación para la Democracia Internacional.

⁵⁷ Input from Congregation of Dominican Sisters, Islamic Women’s Council of New Zealand and Maat for Peace, Development and Human Rights Association.

⁵⁸ Input from Fondazione Marista per la Solidarietà Internazionale.

⁵⁹ Input from the National Human Rights Commission of Nigeria and the Commission on Human Rights of the Philippines. For a list of the core international human rights instruments and their monitoring bodies, see <https://www.ohchr.org/en/core-international-human-rights-instruments-and-their-monitoring-bodies>.

⁶⁰ Input from Sevda Clark and Perla Guarneros.

⁶¹ Input from Equality Rights Alliance.

⁶² Input from European Disability Forum and Islamic Women’s Council of New Zealand.

dialogue and collaboration. Civil society groups are concerned about the digital divide that hinders their participation in digital solidarity networks, and some report limited access to platforms.⁶³

VI. Digital solidarity and civil society

40. Solidarity is needed to bridge the digital divide, or the inequality gap within and between countries regarding the right of persons and groups to have effective access to technology and the Internet. Digital solidarity can support access to education and financial credits in disadvantaged communities, facilitate communication between refugees, migrants and their families, provide health care, ensure the sharing of information in support of economic projects (such as weather information for farmers) and enable civil society actors to disseminate international solidarity actions and ideas. Anna Moskal and Neerav Srivastava describe digital solidarity as emancipatory for marginalized sections of civil society:

Digital solidarity is based on the idea of using technology and information technology to help people and communities around the world. It involves harnessing digital tools and resources to build community; leveraging technology to overcome economic, social, and political asymmetries; and assisting those who may have limited access to technology or face various forms of digital exclusion. Digital solidarity can manifest in many different forms including enhancing access to underutilized goods and services, increasing social inclusions, supporting vulnerable groups, as well as expanding education and skill development.⁶⁴

41. Digital solidarity is important to expanding the civic space online for the presentation of demands and rights, networking, meetings and the pursuit of social change.⁶⁵ It also encompasses security issues relating to open systems of digital sovereignty as opposed to closed ones. Thus, the potential of civil society to enjoy digital solidarity is contingent on the type of system supported by the State.⁶⁶ Moreover, it is essential that the “digital divide” be reduced to ensure the deconstruction of colonial and neocolonial structural asymmetries and injustices, as well as the exclusion on gender, ethnic or religious grounds of voices on the Internet. The Independent Expert on the promotion of a democratic and equitable international order expressed particular concern regarding the barriers faced by youth groups: “The situation of precarity and extreme poverty for youth in the Global South is made evident by the digital divide and illiteracy in dealing with new technologies, depriving many young people of knowledge and awareness of the channels of engagement in international forums and of the opportunity to interact with their peers in other countries.”⁶⁷ This is of particular concern in nations where youth groups consider that the traditional political channels of communication with government institutions are closed to them on account of corruption or State capture.

42. Several NGOs identified digital platforms as essential to disseminating solidarity ideas through such actions as posting Instagram stories or reels, releasing podcasts, announcing events on Facebook, disseminating news on X, formerly known as Twitter, and providing overviews of audiovisual campaigns on YouTube, on websites and in mailing lists. Governments restrict the access of some groups or individuals to online platforms or media outlets, thereby limiting the sharing of solidarity ideas, or use control of the Internet to “re-territorialize” civil society’s international solidarity initiatives.⁶⁸ Some NGOs state that

⁶³ Input from the National Human Rights Commission of Nigeria.

⁶⁴ Anna Moskal and Neerav Srivastava, “Digital solidarity in the sharing economy”, Afronomicslaw.org, 27 November 2023.

⁶⁵ See Tanja Bosch and Tony Roberts, “Digital citizenship and digital solidarity in Africa”, Afronomicslaw.org, 22 November 2023.

⁶⁶ On digital solidarity in relation to digital sovereignty, see Pablo Chavez, “Toward digital solidarity”, *Lawfare*, 28 June 2022. See also Karin M. Frod , “Solidarity in a digitalised world: the need for a new operating system?”, in *Research Handbook on International Solidarity and the Law*.

⁶⁷ A/HRC/54/28, para. 42.

⁶⁸ See Riva Kastoryano, “Multiculturalism and interculturalism: redefining nationhood and solidarity”, *Comparative Migration Studies*, vol. 6, No. 1 (2018).

their websites have been subjected to cyberattacks or electronic attacks to interfere with their human rights work. Other NGOs state that they are able to disseminate solidarity information in the digital realm or abroad but not in their home countries, due to repression or censorship. Other NGOs cite “cancel culture” and disinformation or misinformation as infringing their ability to participate in international or regional solidarity actions, including those relating to climate change.

43. In 2005, the Digital Solidarity Fund was established to provide information and communications technology to least developed countries. However, it experienced financing challenges. The Internet Governance Forum addresses access to the Internet in relation to the Sustainable Development Goals, but it does not have a governance role. Access is reliant on the systems for developing and distributing Internet Protocol (IP) addresses, such as Internet Protocol version 6 (IPv6). There is a tension between the aim of digital solidarity and sovereignty, creating a need for a broad-based global governance system that will give a voice and access to marginalized groups and individuals through transparent institutions and regulations.

44. It would be possible to establish a United Nations digital solidarity platform. Article 8 (3) of the revised draft declaration on the right to international solidarity states that: “In accordance with the right to freedom of expression, States have the duty to take steps within their respective capacities to facilitate the protection of actual and virtual spaces of communication, including access to the Internet and infrastructure, in order to enable individuals and peoples to share solidarity ideas.”

45. Because civil society actors seeking to pursue international solidarity policies and actions through networks are reliant on access to the Internet, there is a need to define the scope of the right to Internet access, as well as any exceptions to that right. From a solidarity perspective, the right to Internet access is linked, *inter alia*, to the rights to freedom of expression, assembly and association, as well as political participation and education.

46. The Human Rights Committee has issued a general comment in which it calls upon States to take all necessary steps to ensure access to the Internet.⁶⁹ There is a debate over the existence of a “positive obligation” for States to promote or facilitate access to the Internet given the importance of the Internet in enabling the full enjoyment of human rights.⁷⁰ Matthias C. Kettemann has argued that ensuring access to the infrastructure necessary to gain access to the Internet is not only an obligation of each individual State but also of the international community as a whole.⁷¹ Qerim Qerimi suggests that the recognition of a positive obligation would entail opening up the telecommunications market or providing access to the Internet at a non-discriminatory rate.⁷²

47. There is also a need to pursue international solidarity to prevent the abuse of the Internet. The General Assembly expressed solidarity with those targeted by disinformation campaigns and affirmed the responsibility of States to counter, as appropriate, and in accordance with international human rights law, the dissemination of disinformation which undermines the promotion of peace and cooperation.⁷³ Strategies to tackle disinformation should comply with transparency principles, rights and obligations.⁷⁴ Moreover, only in exceptional cases may dissemination of information be legitimately restricted under international human rights law and in accordance with the right to freedom of expression. Types of information that could be legitimately restricted include child pornography, defamation, direct and public incitement to commit genocide and advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.⁷⁵

⁶⁹ General comment No. 34 (2011), para. 15.

⁷⁰ See [A/HRC/17/27](#). See also <https://humanrights.gov.au/our-work/8-right-access-internet>.

⁷¹ See Matthias C. Kettemann, *The Normative Order of the Internet: A Theory of Rule and Regulation Online* (Oxford, Oxford University Press, 2020).

⁷² Qerim Qerimi, “Bridge over troubled water: an emerging right to access to the Internet”, *International Review of Law*, vol. 2017, No. 1 (2017), p. 21.

⁷³ General Assembly resolution 76/227, para. 4.

⁷⁴ See [A/HRC/47/25](#).

⁷⁵ [A/HRC/17/27](#), para. 25.

48. Solidarity within the cyber field can also be security-focused. States call for cooperation to tackle cybersecurity threats, including cybercrimes that victimize individuals and societies. Cybercrimes include “cyber-dependent crimes” that are committed through the use of information and communications technology systems or devices, in which such systems or devices are both the tools applied when committing the crime and the target of the crime (e.g. malware, hacking or computer intrusion with the purpose of economic gain or stealing, damaging, distorting or destroying data and/or a network). “Cyber-enabled crimes”, on the other hand, include all traditional crimes that do not depend on information and communications technology (such as money-laundering, piracy, child pornography, hate speech, trafficking in persons and terrorism) but that increase in scale or form through the application of such technology. States risk limiting access to the Internet through excessive censorship actions or arbitrary limitations, restrictions or denials of access to the Internet that do not comply with necessity, proportionality, legality and the principle of non-discrimination.

49. The current draft international convention on countering the use of information and communications technologies for criminal purposes has been criticized for being overly broad, in part because it does not require proof of intent, raising the risk that international solidarity actors may be penalized as violent extremists or terrorists with reference to other international conventions.⁷⁶

50. In 2021, the Human Rights Council adopted resolution 47/16 on the promotion, protection and enjoyment of human rights on the Internet. It strongly condemned Internet shutdowns and online censorship. In the resolution, the Council encouraged States to promote free, open interoperable, reliable and secure access to the Internet and to support civil society in its efforts to address barriers to digital access and called upon them to ensure net neutrality and to prohibit attempts by Internet service providers to assign priority to certain types of Internet content or applications over others for payment or other commercial benefit. In addition, the Council encouraged States to share best practices on issues pertaining to bridging digital divides and enabling digital inclusion, including by collecting and providing public access to disaggregated data on access and use by disadvantaged persons or groups. Hence, the resolution calls for bridging the digital divide and is indicative of the need to systematically address that key aspect of the right to international solidarity in the context of the universal periodic review.

51. States and non-State actors should guarantee open and accessible communication channels, ensuring equal access to information and communications technologies. The ability of civil society to network with international solidarity actors depends on access to digital communication platforms to demand recognition, response and/or reparation for human rights violations from State and non-State actors. The use of digital platforms can facilitate the transfer of international solidarity ideas across borders in a flexible manner to connect intersectoral groups and actors and enable them to collaborate in the design of strategies and solutions to common and overlapping problems. States and non-State actors should cooperate with civil society groups to create and facilitate digital spaces for the purpose of engaging in the exchange of international solidarity ideas.⁷⁷ A United Nations digital international solidarity platform should be founded on the recognition that international solidarity is a common good to be protected from marginalization on account of the marketization of the digital arena or excessive regulation by States.

⁷⁶ See Tomaso Falchetta, “The draft UN cybercrime treaty is overbroad and short on human rights protections”, *Just Security*, 22 January 2024.

⁷⁷ See Ernesto J. Vidal Gil, “The social State based on the rule of law in the Europe of rights”, *Globalization and Human Rights: Challenges and Answers from a European Perspective*, Jesús Ballesteros, Encarnación Fernández Ruiz-Gálvez and Pedro Talavera, eds. (Dordrecht, Springer, 2012).

VII. Solidarity education for a vibrant civil society

52. Several States pursue solidarity education as a foundation for a healthy civil society that promotes a culture of solidarity.⁷⁸ A solidarity education teaches cooperation, inclusion, mutual respect for diversity, empathy and dialogue between people, upholding the principles of equality and non-discrimination on the basis of, inter alia, race, ethnicity, gender, religion, socioeconomic class, nationality and disability.⁷⁹ In post-conflict societies, educational programmes on inter-ethnic solidarity can support the aim of reconciliation within civil society.⁸⁰ Activities can range from projects to support communication between diverse people within a civil society in order to promote mutual respect and peaceful coexistence and fundraising by students to send school supplies to students in other countries to digital education programmes to teach youth how to share solidarity ideas online. Solidarity activities can be designed for kindergartens, elementary, middle and high schools and university-level education.⁸¹ The University of Guyana includes international solidarity in its international relations courses. Some NGOs collaborate with foreign exchange student groups in high schools and universities to pursue international solidarity projects.⁸² Members of marginalized groups, such as girls in countries in which they are denied education or minority and religious youth living in remote locations far from physical schools or in conflict zones, are in dire need of international solidarity initiatives to facilitate their access to education through online initiatives. Children living in conflict zones have been denied education due to the physical destruction of their schools and the lack of online inclusive education.⁸³ The provision of scholarships to study abroad and language classes for refugee children and youth in order to facilitate integration is another form of international solidarity. The Special Rapporteur on extreme poverty and human rights has called for solidarity to support human capital investments in civil society (which includes education) to promote sustainable development.⁸⁴

53. However, the Special Rapporteur on the right to education expressed concern about a trend within some school systems of promoting exclusion, discrimination and segregation to the detriment of solidarity objectives.⁸⁵ Recent actions against civil society organizations, including student organizations, in the United States of America that have expressed anti-Zionist positions in relation to the war in Gaza have included a resolution passed by the House of Representatives that erroneously equates anti-Zionism with antisemitism.⁸⁶ There is also concern about a proposed law that would rescind federal education funding for colleges and universities that allegedly promote antisemitism, carrying the risk of being interpreted in an overly broad manner to affect Palestinian solidarity activities among students.⁸⁷ Moreover, solidarity lectures in various universities around the world have been

⁷⁸ See Noah De Lissovoy and Anthony L. Brown, “Antiracist solidarity in critical education: contemporary problems and possibilities”, *Urban Review*, vol. 45, No. 5 (2013); and Margarita Gelepithis and Marco Giani, “Inclusion without solidarity: education, economic security, and attitudes toward redistribution”, *Political Studies*, vol. 70, No. 1 (2022).

⁷⁹ For example, in its concluding observations on the combined twenty-second and twenty-third periodic reports of Cameroon, the Committee on the Elimination of Racial Discrimination recommended that the State party increase its efforts to raise public awareness of the importance of ethnic and cultural diversity and the fight against racial discrimination, and to integrate those concepts at all education levels in order to promote substantive inter-ethnic friendship and solidarity ([CERD/C/CMR/CO/22-23](#), para. 35).

⁸⁰ See, for example, the report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on his visit to Croatia ([A/HRC/51/34/Add.1](#)), in which the Special Rapporteur called for inter-ethnic solidarity.

⁸¹ In its input, Mozambique states that it has higher education courses on international relations, diplomacy and development that address international solidarity.

⁸² Input from Fundación para la Democracia Internacional.

⁸³ Input from European Disability Forum.

⁸⁴ See [A/HRC/47/36](#).

⁸⁵ See [A/HRC/53/27](#).

⁸⁶ “Strongly condemning and denouncing the drastic rise of antisemitism in the United States and around the world”, H.Res.894, 118th Congress (2023).

⁸⁷ “Stop Anti-Semitism on College Campuses Act”, H.R.3773, 118th Congress (2023). See also the open letter of the American Civil Liberties Union to United States college and university presidents,

cancelled, student activists have been subjected to discrimination, harassment, searches, arrest, imprisonment and expulsion, and students and researchers from the global South are being denied visas to study in the global North. Solidarity activists and their children or other family members have been blacklisted and prevented from pursuing education (through denial of scholarships or denial of freedom of movement to access schools and universities) and denied jobs after completing their education due to blacklisting.⁸⁸ There is a need to support students in their solidarity expressions in accordance with non-discrimination and equality norms, as well as to provide solidarity scholarships (domestic and international) for marginalized students.

VIII. Conclusions and recommendations for States and stakeholders

A. Conclusions

54. International solidarity provides a future-oriented universal narrative of inclusion and recognition of the diversity of civil society in the enjoyment of human rights that also serves to combat inequality, polarization and fragmentation among and within nations. There is an imperative to create strategic networks and coalition alliances between civil society, States, international organizations, academia, businesses, human rights institutions and faith-based institutions in order to design and implement international solidarity initiatives. The surge in resilient civil society engagement around the world confirms that international solidarity merits both normative recognition and institutional implementation to guarantee its fair enjoyment and protection from censorship and oppression. International solidarity provides a path towards a renewed global social contract based on equality and non-discrimination to reopen civic spaces. It underscores the principle of self-determination, decolonization and the ending of apartheid everywhere.

55. International solidarity should be mainstreamed in the work of the Office of the United Nations High Commissioner for Human Rights and the Human Rights Council in order to improve awareness of its intrinsic role as a means for amplifying civil society's pursuit of equal recognition of human rights for all in line with the Sustainable Development Goals.

B. Recommendations

56. The Independent Expert recommends that:

(a) States should create an intergovernmental working group within the Human Rights Council to review and adopt the revised draft declaration on the right to international solidarity in order to strengthen the normative framework for reopening civic spaces for international solidarity expressions;

(b) States should uphold the rights to freedom of expression, assembly and association as the foundation for international solidarity and guarantee access to open physical and digital spaces for the enjoyment of these rights through legislative reform;

(c) States should ensure that the limitation of these rights is based on proportionality, necessity, non-discrimination and legality. Emergency and regular legislation restricting the rights to freedom of association and expression should be

in which it addressed the mischaracterization of Palestinian solidarity initiatives as constituting "material support for terrorism", available at <https://www.aclu.org/wp-content/uploads/2023/11/ACLU-Open-Letter-to-U.S.-College-and-University-Presidents-Embargoed-PDF.pdf>.

⁸⁸ Input from Sahrawi Association of Victims of Grave Human Rights Violations and others.

limited in time and scope and preclude overly broad or vague interpretations and the imposition of disproportionate penalties;

(d) States should ensure that laws requiring civil society organizations to register are not discriminatory on the basis of political opinion, religious affiliation, nationality, LGBTQI+ or gender orientation or other grounds protected under international human rights law. The “red-tagging” of civil society organizations should be terminated. Civil society organizations should be protected from wrongful prosecution as foreign agents or a foreign influence due to their international solidarity expressions;

(e) States should eliminate the pre-emptive prohibition of non-violent international solidarity protests by civil society without due process;

(f) States should remove penalties for solidarity strikes organized by civil society organizations in support of housing, labour, education or other rights. States should protect trade union activists who engage in international solidarity actions, as well as those acting to protect refugees and migrants;

(g) States should create policies supporting expressions of international solidarity by civil society groups who seek to promote peace, non-discrimination and inclusion as a concrete means of combating hate speech;

(h) States should review their counter-extremism, counter-terrorism, cybersecurity, public order and media legislation and policies to ensure that groups expressing international solidarity are not unfairly targeted as extremists, separatists or terrorists. The suppression of the non-violent expression of international solidarity will only foment violence and destabilize nations. States should create new communication channels for the non-violent expression of solidarity in order to facilitate peaceful dispute resolution and support social cohesion. Social solidarity governmental institutions should protect, rather than disempower, civil society organizations;

(i) Solidarity activists and their family members (including children) should not be subjected to surveillance, enforced disappearance, retaliation, loss of employment, denial of education or expulsion from school or university, limitation of freedom of movement (denial of exit or entry visas), deportation, detention, censorship, harassment, arbitrary detention, criminalization, blacklisting or attack;

(j) States should create reactive solidarity programmes to provide legal aid and seek protection orders and remedies for solidarity actors needing immediate protection in addition to adopting preventive approaches to solidarity relating to development. Psychosocial support should also be given to solidarity activists who suffer trauma from excessively lengthy litigation processes;

(k) States should ensure that national digitalization strategies contribute to solidarity by guaranteeing fair access for intersectoral civil society organizations;

(l) In accordance with article 8 (1) of the revised draft declaration on the right to international solidarity, States should consider giving full effect to the right to international solidarity by adopting legislative, administrative, budgetary or other measures. States and non-State actors can pursue solidarity agreements to facilitate access to technology, financing and infrastructure;

(m) State and multilateral donors should provide civil society with funding to facilitate fair access to digital platforms and support for international solidarity dissemination campaigns conducted by civil society actors who use audiovisual media, online platforms and social media to share examples of solidarity initiatives among local communities;

(n) International solidarity projects led by independent civil society organizations should be financed in such a way that they are inclusive and diverse in membership and non-discriminatory in orientation;

(o) Special funding should be directed towards empowering marginalized women, girls, youth groups, minorities and members of Indigenous Peoples who are at risk of systematic silencing of their voices within the public and digital spheres and may be prevented from communicating with political or judicial institutions to engage in expressions of international solidarity online;

(p) States and donors should provide funding to disseminate awareness of and facilitate civil society organization participation in United Nations reporting processes;

(q) The facilitation of online education initiatives should be considered as a form of international solidarity for vulnerable members of civil society, such as girls and young people from minority or Indigenous groups who are unable to access physical schools due to discrimination or other forms of exclusion;

(r) States should eliminate the criminalization of international solidarity expressions and symbols and calls for accountability for violations of public international law norms, such as calls for peace, self-determination or decolonization and the ending of apartheid or genocide, and for violations of international humanitarian law, international customary law or human rights and should not conflate them with “manifest support of terrorism” or antisemitism in relevant legislation or regulations;

(s) States should ensure that international solidarity projects can be channelled through existing civil society groups, as well as schools and universities (to support solidarity education initiatives, including solidarity scholarships for refugees, minorities and others), hospitals, businesses and faith-based institutions;

(t) States and international organizations should create international solidarity indicators to measure the impact of international solidarity actions and report on them in the context of the universal periodic review;

(u) States should review, in the context of the universal periodic review, the wrongful criminalization of international solidarity actors as extremist, terrorist or subversive due to their work on the environment or climate change, gender, peace, Indigenous or minority rights, refugee or migrant rights or other human rights issues;

(v) States should review, in the context of the universal periodic review, defunding policies based on wrongful criminalization of international solidarity initiatives and the negative impact of the application of legislation on terrorist financing and money-laundering and of sanctions on civil society organizations;

(w) States should pursue recognition in the context of the universal periodic review of the presentation of best practices of international solidarity by States and civil society organizations.

57. The Independent Expert also recommends that:

(a) The United Nations should establish a digital international solidarity platform for safe communication and networking, in which civil society groups (including youth groups) can share experiences, identify best practices and coordinate international and intersectoral solidarity projects. Civil society groups should have the right to participate in decision-making in relation to solidarity projects and programmes and meet with company representatives and State representatives to discuss challenges, including with regard to access to infrastructure and censorship. Social media and digital training should be provided to civil society, including to teach victims of human rights violations how to manage online harassment and targeting, and technical support should be provided to defend against cyberattacks;

(b) The United Nations treaty bodies and Charter-based mechanisms should explore ways to further improve accessibility for the participation of persons with disabilities, members of minorities and Indigenous and other persons in their interactions with civil society. Such persons should be given active voices and not be passive recipients of information and should be granted the right to remote participation in the context of the universal periodic review and in the sessions of the Human Rights Council and the treaty bodies. The accreditation of civil society

organizations with the Economic and Social Council should be transparent and non-discriminatory;

(c) The United Nations treaty bodies should review State practice with an impact on the mobility of international solidarity activists and remind States of the obligation to refrain from the deportation or expulsion of international solidarity activists, as well as the denial of entry or exit visas;

(d) The United Nations should improve the inclusion of grass-roots community voices in platforms at United Nations intergovernmental events and provide opportunities for dialogue with policymakers.

58. The Independent Expert further recommends that:

(a) Companies providing digital platforms and services should cooperate with civil society and States to enable the fair access of vulnerable communities to information and communications technologies in accordance with their international solidarity responsibilities, to eliminate the digital divide. Companies should review their internal policies and meet with civil society organizations to ensure that they comply with non-discrimination standards in their moderation of online solidarity communication;

(b) Companies should establish transparent channels for the presentation of solidarity demands by civil society, in accordance with article 6 (3) of the revised draft declaration on the right to international solidarity, and non-State actors, including transnational companies, should provide transparent, accessible mechanisms for communication and response to solidarity demands presented to them by civil society, labour unions, Indigenous Peoples and other groups.
