

The Construction of a Community of Human Destiny from the Perspective of International Law

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ABSTRACT. *The “common” of the “Community of Human Destiny” is reflected in many aspects. The Party Central Committee with General Secretary Xi Jinping as the core has also repeatedly emphasized the implementation of the concept of the human destiny community through multiple paths and policies. And the community of human destiny itself is proposed in a certain international background, so it needs the effective support of international law to create a good legal environment for the construction of the “community of human destiny” in the era of globalization. Based on this, in analyzing the important content of the community of human destiny, this article, from the perspective of international law, is based on the common interests of all mankind, and explores the specific construction path of the community of human destiny.*

KEYWORDS: *International law; Community of human destiny; Construction path*

1. Introduction

International law embodies a development concept of seeking common ground while shelving differences. It can provide a model for the settlement of possible international disputes and can also point the direction for international cooperation. Therefore, all countries must attach importance to perfecting international law, forming an international legal community, and promoting the orderly construction of a community of human destiny. China has a long way to go to build a community of shared future for mankind. We must vigorously advocate the construction of an international legal community, demonstrating China's full emphasis on international cooperation and common development.

2. The Basic Guarantee is to Create Scientific Rules

In the process of constructing a community of shared future for mankind, China has continuously proceeded from the perspective of international law, fulfilled the basic obligations of developing countries, actively participated in global governance, and performed its treaty obligations in good faith. At the same time, it has created a basic framework of rules from multiple perspectives of international cooperation. Taking the Hangzhou Summit as an example, the “G20 Global Investment Guiding Principles” published by it provided the first basic rules and framework reference for the world's volatile investment, which can create a long-term governance mechanism for the G20 Summit. In the G20 Summit Communique, the G20 Summit proposed that the results of the G20 Summit benefit the world, focus on development issues, and provide a global macro policy framework. China has also formulated action plans for the UN's 2030 Agenda for Sustainable Development and has strongly supported the industrialization of underdeveloped countries. In this action, China fully demonstrated its power as an obligation and responsibility of a large developing country, and also played an important role in other international cooperation. Since the “Belt and Road” policy was proposed, China has leveraged existing resource advantages to create a platform for regional cooperation, and eventually linked the “Belt and Road” initiative with international development rules, providing scientific rules for international cooperation. Therefore, when constructing the community of human destiny in the perspective of international law, we must pay attention to the rules of cooperation under international law. We must formulate the rules in accordance with the status and actual needs of international cooperation to form a reliable international legal community and lay a solid foundation for human destiny community construction.

3. Focusing on Promoting International Cooperation

3.1 Strengthening International Cooperation

In the international context of globalization, a new international order has begun to take shape. Under the new international order concept, countries should share the fruits of sovereignty, dignity, security, and development. At the same time, they should jointly build a cooperation model and achieve common international rules comply with. In the context of building a community of shared future for mankind, countries should strengthen cooperation and uphold a common and correct view of international power and interests, while recognizing the importance of sustainable development and the importance of global common governance.

From the perspective of international law, all countries must be aware of the importance of power sharing. International power should be shared reasonably and not controlled by big powers. Under the development trend of world political multipolarization, world governance should be jointly participated by all countries. In the process of international cooperation, countries should strengthen direct consultations and negotiations to promote the rational settlement of disputes over interests. Under the direct communication mode of cooperation, each country can directly talk about the core issues of their concern, and exchange views and opinions with each other in frank talks, so as to enhance mutual understanding and form a common concept and reach a consensus on cooperation. Under the concept of a community of shared future for mankind, group co-governance is the key way to break through the obstacles to development. Today, with the diversification of international actors, in the process of international cooperation, cooperation and interaction between intergovernmental organizations, non-governmental organizations and multinational companies gradually increasing, each country is also playing its own wisdom in this process, providing its own national plan for the construction of a community of shared future for mankind.

Secondly, in the process of constructing a community of shared future for mankind, each country relies on the support of international law and can find specific references for establishing a common interest view. The important purpose of international cooperation is to maintain world peace and seek common development. However, in the development process of each country, there are their own development problems, that is, different secondary contradictions will appear in the cooperation process. Based on this, the international cooperation organization needs to advocate the reform of cooperative organizations such as the WTO under the advocacy of international law. The main purpose of balancing the interests of various countries and regions is to implement the rules of international negotiations to ensure that international cooperation achieves substantive results.

3.2 Joint Efforts to Resolve International Disputes

Different countries have different development goals and have different interests in the development process, so it is inevitable that interest disputes and corresponding contradictions will arise during cooperation. In the face of such problems, international law can play its due role and provide a feasible path reference for the settlement of international disputes, which is embodied in the settlement of trade disputes and frictions and territorial disputes.

At present, international economic cooperation is gradually increasing, economic globalization is continuously deepening, and the growth rate of transnational trade is obvious. Therefore, in the process of international trade cooperation, trade disputes and frictions often occur. The development of the world economy requires all countries to strengthen cooperation and balance development interests. When there are international trade disputes and frictions, in the perspective of international law, traditional dispute settlement methods can be improved. That is, if the international organization such as the WTO is ineffective, international law can play its own role, that is, it requires the parties involved to conduct consultations, negotiations, exchange of demands, mutual compromise, etc., finally reached an agreement. This type of settlement of trade disputes and frictions is compulsory and therefore a more secure and thorough solution.

In addition, with regard to territorial disputes, international law can also provide specific references for the resolution path. When territorial disputes arise, the countries involved will often vigorously defend their own interests, including declaring the ownership of their territories and sending warships to patrol, etc. The above methods will aggravate the contradictions between the countries involved. Based on this, in territorial disputes in international law, proposals are made for peaceful settlement, enhanced consultations, etc., to avoid head-on confrontation, and to arbitrate with institutions or organizations of mutual trust, mainly by peaceful settlement, and international arbitration may be adopted when necessary.

In general, when constructing a community of shared future for humankind, each country must recognize its responsibility, recognize the pattern of world development, continuously improve supporting measures, and work together to enrich international law and form a consensus on international law in the process of building a community of shared future for humanity. Working together to reduce disputes is the essence of building a community of shared future for humanity.

4. Take the Innovative Cooperation Model as the Key Promoter

The construction of a community of shared future for mankind in the perspective of international law requires the importance of innovation in international cooperation models. The traditional international cooperation model focuses on building cooperation zones. That is, the scope of cooperation is delimited by signing bilateral or regional agreements, and finally regional cooperation organizations are established, and regional integration is carried out. Under the concept of a community of shared future for mankind, if we want to further expand the scope of international cooperation under international law, we must innovate the cooperation model, and expand the international cooperation boundary within a certain scope with the purpose of creating an open economic belt. The “Belt and Road” policy proposed and being implemented in China in recent years is an innovation of international cooperation models, which embodies an open and inclusive cooperation system. Interconnections promote the common development of countries along the route. Based on this, the construction of a community of shared future for mankind from the perspective of international law requires the state to attach importance to the innovation of international cooperation models and to improve the models on the premise of maintaining multilateral interests. In recent years, China has actively innovated international cooperation models, including the Shanghai Cooperation Organization and China-Central and Eastern Europe “16 + 1”, which all reflect an open multilateral cooperation system.

In addition, while innovating the international cooperation model, we must also pay attention to building an international cooperation platform from the perspective of international law. Take China's “Belt and Road” initiative as an example. Since its introduction, each participant has jointly built an international cooperation platform. In the platform, participating countries can learn about the corresponding content of cooperation, that is, resolutions, documents, etc. At the same time, during the development process, the “Belt and Road” platform has been continuously expanded to cover a wider range of cooperation. Based on the consideration of guaranteeing cooperative behavior, the Supreme People's Court of China has established an international commercial court and an international commercial expert committee to provide basic legal guarantees for international cooperation. However, in order to transform the international consensus such as the “Belt and Road” into a global consensus, it is also necessary to continuously improve international law, to form binding legal provisions, to translate international consensus into laws and specific systems, and to build an international legal community. Provide powerful assistance for the construction of the community of human destiny.

5. Conclusion

China, as the main representative of developing countries, has continuously practiced and innovated after putting forward the concept of a community of shared future for mankind. It has provided Chinese solutions and Chinese wisdom for international cooperation and settlement of international disputes. Especially in the current development context of continuous improvement of international law, the construction of the community of human destiny has obtained the basic legal environment support. However, in order to fully implement the path of building a community of human destiny in the perspective of international law, the joint efforts of multiple countries are needed. On the basis of grasping the operating laws of international law, advocating scientific rules, grasping core content and innovating development models, and fully promoting the community of human destiny construction process to create a good environment for international cooperation.

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