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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

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

Right to development

Report of the Secretary-General and the United Nations High Commissioner for Human Rights*

Summary

The present report contains an overview of the activities of the Office of the United Nations High Commissioner for Human Rights on the promotion and realization of the right to development undertaken between June 2020 and May 2021. In line with the request made by the General Assembly in its resolution 75/182, the report focuses on the response to and the recovery from the coronavirus disease (COVID-19) pandemic. The report complements the report of the Secretary-General and the High Commissioner on the right to development submitted to the Human Rights Council at its forty-fifth session.¹

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.

¹ A/HRC/45/21.



I. Introduction

1. In its resolution 48/141, the General Assembly decided that the United Nations High Commissioner for Human Rights should promote and protect the realization of the right to development and enhance support from relevant bodies of the United Nations for that purpose. The General Assembly also decided that the High Commissioner should recognize the importance of promoting balanced and sustainable development for all people and of ensuring the realization of the right to development.
2. The Human Rights Council, in its resolution 45/6, requested that the High Commissioner continue to submit to the Council an annual report on the activities of the Office of the United Nations High Commissioner for Human Rights (OHCHR), including on inter-agency coordination within the United Nations system, that have direct relevance to the realization of the right to development, and to provide an analysis of the implementation of the right to development, taking into account existing challenges and making recommendations on how to overcome them.
3. In its resolution 75/182, the General Assembly reaffirmed its request to the High Commissioner, in mainstreaming the right to development, to effectively undertake activities aimed at strengthening the global partnership for development among Member States, development agencies and the international development, financial and trade institutions and to reflect those activities in detail in her next report to the Human Rights Council.
4. The General Assembly also requested that the Secretary-General submit a report to the Assembly at its seventy-sixth session and an interim report to the Human Rights Council on the implementation of resolution 75/182, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, taking into account the context of the response to and the recovery from the coronavirus disease (COVID-19) pandemic, through equitable and fair access for all countries, in particular the most vulnerable countries and countries in special situations, to vaccines and medicines as global public goods, sharing the benefits of scientific progress, financial and technological support and debt relief.
5. The present report is submitted in accordance with the above requests. Section II contains an overview of the activities of OHCHR relating to the promotion and realization of the right to development, covering the period from June 2020 to May 2021. Section III contains an overview of the efforts undertaken in the implementation of the right to development in the context of the response to and the recovery from the COVID-19 pandemic.

II. Activities of the Office of the United Nations High Commissioner for Human Rights

6. In implementing its mandate to promote the realization of the right to development, OHCHR is guided by the Declaration on the Right to Development, the Vienna Declaration and Programme of Action, relevant resolutions of the General Assembly and the Human Rights Council, and conclusions and recommendations of the Working Group on the Right to Development.
7. The OHCHR operational framework for promoting and protecting the realization of the right to development is contained in the proposed programme budgets for 2021 and 2022² and the United Nations Human Rights Management Plan for the period 2018–2021.³

² A/75/6 (Sect. 24), subprogramme 1b; A/76/6 (Sect. 24), subprogramme 1b.

³ See www2.ohchr.org/english/ohchrreport2018_2021/OHCHRManagementPlan2018-2021.pdf.

A. Support for human rights mechanisms

1. Working Group on the Right to Development

8. OHCHR continued to support the Chair-Rapporteur of the Working Group on the Right to Development in implementing his mandate to prepare a draft legally binding instrument on the right to development.⁴ OHCHR organized the twenty-first session of the Working Group, held from 17 to 21 May 2021, at which it held an interactive dialogue with the Chair of the Expert Mechanism on the right to development and the Special Rapporteur on the right to development, considered contributions made by States and stakeholders to the implementation of the right to development and commenced the negotiation of the draft convention on the right to development.

2. Expert Mechanism on the right to development, Special Rapporteur on the right to development and other special procedure mandate holders of the Human Rights Council

9. The Expert Mechanism on the right to development held three sessions and submitted two reports to the Human Rights Council. It adopted a study on realization of the right to development in achieving the Sustainable Development Goals⁵ and considered the synopsis of a study on racism, racial discrimination and the right to development.⁶ The Mechanism also discussed three other studies.⁷

10. The Special Rapporteur on the right to development submitted a report to the Human Rights Council⁸ in which he presented national-level financing for development practices from the perspective of the right to development. The report included recommendations on integrating the right to development into the areas of resource mobilization, tax policies, participation and access to information.

11. The Special Rapporteur also presented a report to the General Assembly,⁹ in which he explored the international dimensions of financing for development policies and practices from the perspective of the right to development. The report contained recommendations on integrating principles of participation, free, prior and informed consent, and access to information into development finance policies and practices, as well as tackling the challenges relating to domestic and international resource mobilization, public-private partnerships and financial assistance in the context of responding to the global pandemic and implementing the 2030 Agenda for Sustainable Development.¹⁰

12. In December 2020, the Expert Mechanism and the Special Rapporteur, together with other special rapporteurs, released a press statement marking the thirty-fourth anniversary of the Declaration on the Right to Development and urged States to strengthen and renew their commitment to multilateralism to defeat the COVID-19 pandemic.¹¹

13. In March 2021, the Expert Mechanism and the Special Rapporteur, together with other special rapporteurs, urged the World Trade Organization to consider waivers to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).¹² The Independent Expert on human rights and international solidarity urged States and non-State actors to cooperate in an equitable, globally coordinated vaccine distribution programme.¹³

14. The Independent Expert on foreign debt and human rights, particularly economic, social and cultural rights, called for effective debt relief, including debt standstills,

⁴ Human Rights Council resolution 39/9.

⁵ A/HRC/EMRTD/3/CRP.1.

⁶ A/HRC/EMRTD/3/CRP.2.

⁷ A/HRC/45/29, paras. 23–27.

⁸ A/HRC/45/15.

⁹ A/75/167.

¹⁰ See A/HRC/45/15, A/74/163 and A/HRC/42/38 for more information about the activities of the Special Rapporteur.

¹¹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26561&LangID=E.

¹² See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26817&LangID=E.

¹³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26683&LangID=E.

restructuring and cancellation and for emergency financing for developing countries.¹⁴ She also addressed the enormous power that credit rating agencies have on debt crisis prevention and response, even in the context of the COVID-19 pandemic, and called for their reform.¹⁵

3. Human Rights Council panel discussion on the right to development

15. In September 2020, OHCHR organized a biennial panel discussion on the theme “COVID-19 and the right to development: we are all in this together”.¹⁶ The High Commissioner emphasized that the COVID-19 vaccine must be treated as a global public good and called upon the international community to agree on measures to enable poor and vulnerable countries to mobilize resources to fulfil their peoples’ basic needs.¹⁷

4. Other bodies and mechanisms

16. OHCHR organized the Social Forum in October 2020, which was focused on good practices, success stories, lessons learned and current challenges in combating poverty and inequalities.¹⁸ The Special Rapporteur on extreme poverty and human rights presented a matrix demonstrating multiple causes of poverty and their interactions, which guided discussions on obstacles to realizing the right to development and addressing poverty and inequality.¹⁹

17. In its report on the importance of a legally binding instrument on the right to development,²⁰ the Human Rights Council Advisory Committee noted that while the progressive elimination of poverty was recognized as a prerequisite for the realization of the right to development, the contemporary human development setting was marked by deep divides within and across countries.

18. The Committee on Economic, Social and Cultural Rights adopted a statement highlighting the need for States to guarantee universal and equitable access to COVID-19 vaccines.²¹ It noted that States parties had a duty to prevent intellectual property and patent legal regimes from undermining the enjoyment of economic, social and cultural rights. The Committee adopted a statement on universal affordable vaccination against COVID-19, international cooperation and intellectual property, reiterating the obligation of States to take all necessary measures, to the maximum of their available resources, to guarantee access to available COVID-19 vaccines for all, without discrimination. Noting that the insufficient supply of vaccines and its deeply unequal global distribution necessitated urgent additional measures, including in relation to the intellectual property regime, the Committee strongly recommended that States support proposals of a temporary waiver for some provisions of the TRIPS Agreement for vaccines and treatment for COVID-19.²²

B. Activities to support the realization of the right to development, including inter-agency coordination

19. OHCHR organized and contributed to numerous activities to operationalize the right to development.²³

20. In June 2020, the High Commissioner participated in a webinar with the President of the Inter-American Development Bank and discussed issues related to COVID-19 in the Latin American and Caribbean region. In her report to the Economic and Social Council,²⁴

¹⁴ See www.ohchr.org/Documents/Issues/IEDebt/NotePMOnDebtCovid-19.pdf. See also A/75/164.

¹⁵ A/HRC/46/29.

¹⁶ See www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session45/Documents/CN_RtD.docx.

¹⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26254&LangID=E.

¹⁸ A/HRC/46/59.

¹⁹ See www.ohchr.org/EN/Issues/Poverty/SForum/Pages/SForum2020.aspx.

²⁰ A/HRC/45/40.

²¹ E/C.12/2020/2.

²² E/C.12/2021/1.

²³ See www.ohchr.org/EN/Issues/Development/Pages/DevelopmentIndex.aspx.

²⁴ E/2020/63.

she provided an overview of the impact of the COVID-19 crisis on economic, social and cultural rights and recommended measures to protect the poorest and most marginalized groups and individuals.

21. OHCHR, in partnership with the University for Peace and the United Nations University International Institute for Global Health, delivered training sessions on operationalizing the right to development. It launched a platform on building better policies and sharing good practices on the right to development. OHCHR completed studies on equitable access to renewable energy and on transfer of environmentally sustainable technology.

22. OHCHR collaborated with the United Nations Educational, Scientific and Cultural Organization on events, such as the Art-Lab for Human Rights and Dialogue, a special edition webinar on the response to COVID-19 and beyond. It led a system-wide initiative in developing the United Nations guidance note on the protection and promotion of civic space.²⁵ OHCHR and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) co-organized a virtual panel discussion on the United Nations and civic space, with a particular focus on strengthening participation, protection and promotion. Several experts stressed that COVID-19 recovery efforts must address threats to the closing of civic space and the suppression of free speech and media freedom.²⁶

23. In October 2020, OHCHR issued a guidance note on business and human rights in the context of the COVID-19 pandemic, highlighting that States and businesses should ensure that COVID-19 responses contribute to building back better in the longer term, including by tackling poverty and inequalities.²⁷

24. In October 2020, OHCHR and UN-Women jointly issued the second edition of *Realizing Women's Rights to Land and Other Productive Resources*.²⁸ OHCHR contributed to inter-agency efforts to provide guidance on integrating gender into COVID-19 responses, including through the preparation of a minimum requirements checklist for integrating gender equality into the implementation of the United Nations Framework for the Immediate Socioeconomic Response to COVID-19,²⁹ as well as UN-Women's gender analysis on United Nations socioeconomic responses to COVID-19. OHCHR has been integrating gender equality and the rights of women, girls, and lesbian, gay, bisexual, transgender and intersex persons into OHCHR field presence work.

25. During its forty-sixth session, held in March 2021, the Human Rights Council held a meeting on the role of poverty alleviation in promoting and protecting human rights.³⁰ Discussants highlighted the links between poverty reduction and human rights.

26. In May 2021, OHCHR organized a seminar on the contribution of development to the enjoyment of all human rights. OHCHR commissioned two studies on the concept of the contribution of development to the enjoyment of all human rights and on applying this concept to the digital divide.³¹

27. OHCHR worked hand in hand with the Development Coordination Office and other United Nations Sustainable Development Group entities to ensure strong integration of human rights into the work of United Nations country teams, following an internal review of COVID-19 socioeconomic response plans. As part of this effort, in May 2021, OHCHR co-organized a workshop on operationalizing the new social contract at the country level and sharing experiences of integrating United Nations values for transformative economic

²⁵ See www.ohchr.org/Documents/Issues/CivicSpace/UN_Guidance_Note.pdf.

²⁶ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=27140&LangID=E.

²⁷ See www.ohchr.org/Documents/Issues/Business/BusinessAndHR-COVID19.pdf.

²⁸ See www.ohchr.org/Documents/Publications/RealizingWomensRightstoLand_2ndedition.pdf.

²⁹ See www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/ianwge-minimum-requirements-checklist-for-integrating-gender-equality-in-covid-19-response-en.pdf?la=en&vs=2913.

³⁰ See www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session46/Pages/46RegularSession.aspx.

³¹ See www.ohchr.org/EN/Issues/Development/Pages/contributionofdevelopment.aspx.

change.³² OHCHR also organized a webinar on the impact of COVID-19 on the right to mental health in Europe.³³

28. OHCHR continued to partner with the United Nations Sustainable Development Group to support country teams in integrating human rights, including the right to development, into their programme and activities. For example, the OHCHR West Africa Regional Office provided technical support and advisory services to regional and country teams with regard to integrating a human rights-based approach into COVID-19 responses. OHCHR also provided substantive inputs to the United Nations Sustainable Development Cooperation Framework for Somalia. The OHCHR country office in Chad ensured the integration of human rights, including the right to enjoy economic, social, cultural and political development, into the 2020 common country analysis, the United Nations multisectoral strategy in support of the governmental response to COVID-19, and the COVID-19 socioeconomic impact report.

29. The Government of Guinea, with support from OHCHR, is implementing a project dedicated to enhancing its capacity to uphold the right to development in the context of COVID-19. The project includes: the production and dissemination of international, regional and national norms and guidelines pertaining to the right to development, which resulted in the inclusion of the right to development among the Government priorities in the COVID-19 recovery plan; a series of virtual workshops on the promotion, monitoring and justiciability of the right to development; and participation in virtual seminars. OHCHR also organized a workshop for United Nations country team programme officers in January 2021 that focused on the right to development and on a human rights-based approach to development programming.

30. In Uganda, OHCHR supported a study to analyse the socioeconomic impact of COVID-19 response measures on the rights to health, education and social protection of vulnerable groups. It also ensured the integration of a human rights-based approach into the national development plan of Uganda and the United Nations Sustainable Development Cooperation Framework.

31. In the Bolivarian Republic of Venezuela, OHCHR organized a workshop for the United Nations country team to include a human rights-based and “leave no one behind” approach in the common country analysis for the implementation of the 2030 Agenda for Sustainable Development. The OHCHR country office in Colombia followed up on the national COVID-19 vaccination plan and reported on the following topics closely related to the right to development: the right to a healthy environment; the rights of Afro-Colombian, Black, Raizal and Palenquero communities; the rights of indigenous peoples; the rights of women; and the rights of lesbian, gay, bisexual, transgender and intersex persons. It also promoted fair trade and public procurement to achieve the Sustainable Development Goals and contributed to the preparation of the country team inter-agency diagnostic document on the socioeconomic impact of the COVID-19 crisis.

32. OHCHR implemented strategic actions to guarantee economic, social and cultural rights of people in vulnerable situations by providing technical assistance to the Government of Honduras. It worked with the Inter-American Development Bank to exchange information on the human rights situation related to the Bank’s projects, and it monitored the human rights situation in the context of the special economic development zones.

33. OHCHR worked with the Resident Coordinator Office in Cambodia to develop a country risk dashboard. It provided support in developing a prevention indicator framework that correlates human rights with Sustainable Development Goal indicators.

34. OHCHR provided input to the *Arab Sustainable Development Report 2020*³⁴ and supported the “leave no one behind” analysis by the country teams in the Middle East and North Africa. In October 2020, the OHCHR Regional Office for the Middle East and North

³² See www.ohchr.org/EN/Issues/SDGS/Pages/Workshop-Operationalizing-New-Social-Contract.aspx.

³³ See www.ohchr.org/Documents/HRBodies/TB/COVID19/Webinar_flyer_ROE.pdf.

³⁴ See <https://asdr.unescwa.org/sdgs/pdf/en/ASDR2020-Final-Online.pdf>.

Africa convened a webinar on the effects of foreign debt on the enjoyment of human rights, including the right to development.

35. In 2020, the OHCHR country office in Tunisia provided advice on the United Nations Sustainable Development Cooperation Framework and the socioeconomic rapid response plan of the country team, and on inter-agency projects submitted within the framework of the COVID-19 response and recovery multi-partner trust fund. The country office is also working with youth councils to advocate for their economic, social and cultural rights. The country office, jointly with the United Nations Development Programme (UNDP), is contributing to an analysis of the budgetary planning of the Government of Tunisia and the impact of its decisions to respond to the crisis on the right to development and the realization of economic, social and cultural rights.

36. In October 2020, the OHCHR country office in Sudan organized the first Hernán Santa Cruz dialogue on economic, social and cultural rights, focusing on social protection in the Sudan, with the objective of promoting a common understanding of economic, social and cultural rights and the right to development.³⁵ In December 2020, the country office organized a workshop, which resulted in the creation of an alliance of Sudanese civil society organizations for monitoring economic, social and cultural rights and the right to development.

37. In April 2021, OHCHR organized the Hernán Santa Cruz dialogue in Ukraine on economic, social and cultural rights,³⁶ focusing on social protection as a human right and as an essential tool for reducing poverty.

III. Analysis of the implementation of the right to development and existing challenges

38. This section includes a presentation of efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, taking into account the context of the response to and the recovery from the COVID-19 pandemic. In addition, it addresses equitable and fair access for all countries, in particular the most vulnerable countries and countries in special situations, to vaccines and medicines as global public goods, sharing the benefits of scientific progress, financial and technological support and debt relief.

A. Impact of the COVID-19 pandemic on the realization of the right to development

39. The COVID-19 pandemic has had a devastating impact on the enjoyment of the right to development. As recognized in the Declaration on the Right to Development, development is a comprehensive economic, social, cultural and political process, which is aimed at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom. The pandemic reversed decades of gains in well-being and human development.³⁷ The Secretary-General³⁸ and the High Commissioner³⁹ have issued statements and advocacy messages with regard to the negative impacts of the COVID-19 pandemic on the enjoyment of the right to development and provided recommendations for addressing them.

40. OHCHR issued guidance material on COVID-19.⁴⁰ Under the leadership of the Secretary-General, the United Nations has issued policy briefs on COVID-19 and its

³⁵ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26397&LangID=E.

³⁶ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26998&LangID=E.

³⁷ See http://hdr.undp.org/sites/default/files/covid-19_and_human_development_0.pdf.

³⁸ See www.un.org/en/coronavirus/un-secretary-general.

³⁹ See www.ohchr.org/EN/NewsEvents/Pages/COVID-19.aspx.

⁴⁰ *Ibid.*

socioeconomic impacts,⁴¹ debt,⁴² human rights,⁴³ the inequality pandemic,⁴⁴ universal health coverage⁴⁵ and a comprehensive response to COVID-19. The latter document emphasizes that by respecting human rights, it will be possible to build more effective and inclusive solutions for the emergency of today and the recovery for tomorrow, in keeping with the call to action on human rights of the Secretary-General.⁴⁶

41. The High Commissioner has called for sustained efforts to ensure that all people, in particular the most vulnerable, benefit from development, including through international cooperation and assistance,⁴⁷ financial and technical support, debt relief and the lifting of unilateral sanctions.⁴⁸

42. The rights to life and health are pre-conditions for the enjoyment of the right to development. The first task necessary to preserve the enjoyment of the right to development is to save lives and to ensure that adequate health care is available for everyone, everywhere, including access to vaccines and medicines, which will be discussed below. The pandemic has had a disproportionate effect on the health and lives of people in situations of greater vulnerability, those living in poverty, older persons, people with pre-existing health conditions, women, children, migrants and those who have been forcibly displaced.⁴⁹ Universal health coverage is an important and effective response to COVID-19.⁵⁰ Developing countries, especially the least developed countries, need urgent support for their health systems to be able to absorb the increased demand caused by the pandemic.

43. Lockdowns and other distancing measures adopted to slow transmission of the virus have restricted freedom of movement and affected a wide range of human rights, including by affecting people's livelihoods and security, health care,⁵¹ food,⁵² water and sanitation, work,⁵³ education⁵⁴ and leisure. The socioeconomic impacts of the pandemic are unprecedented and require global solidarity to overcome them,⁵⁵ in particular, as they are aggravated by inequalities within and between countries.⁵⁶ The pandemic has had different impacts in different regions of the world, such as Africa,⁵⁷ Latin America and the Caribbean,⁵⁸ the Arab Region,⁵⁹ and South-East Asia,⁶⁰ and in urban areas.⁶¹

⁴¹ United Nations, "A UN framework for the immediate socio-economic response to COVID-19", April 2020.

⁴² United Nations, "Debt and COVID-19: a global response in solidarity", 17 April 2020.

⁴³ United Nations, "COVID-19 and human rights: we are all in this together", April 2020.

⁴⁴ See www.un.org/sites/un2.un.org/files/sg_remarks_on_covid_and_inequality.pdf.

⁴⁵ United Nations, "Policy brief: COVID-19 and universal health coverage", October 2020.

⁴⁶ United Nations, "United Nations comprehensive response to COVID-19: saving lives, protecting societies, recovering better", September 2020.

⁴⁷ See www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25785.

⁴⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25833.

⁴⁹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26541&LangID=E.

⁵⁰ See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_universal_health_coverage.pdf.

⁵¹ See

www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf.

⁵² See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_covid_impact_on_food_security.pdf.

⁵³ See www.un.org/sites/un2.un.org/files/the_world_of_work_and_covid-19.pdf.

⁵⁴ See www.un.org/sites/un2.un.org/files/sg_policy_brief_covid-19_and_education_august_2020.pdf.

⁵⁵ See www.un.org/sites/un2.un.org/files/sg_report_socio-economic_impact_of_covid19.pdf.

⁵⁶ See www.un.org/sites/un2.un.org/files/sg_remarks_on_covid_and_inequality.pdf.

⁵⁷ See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_covid-19_impact_on_africa_may_2020.pdf.

⁵⁸ See www.un.org/sites/un2.un.org/files/sg_policy_brief_covid_lac.pdf.

⁵⁹ See www.un.org/sites/un2.un.org/files/sg_policy_brief_covid-19_and_arab_states_english_version_july_2020.pdf.

⁶⁰ See www.un.org/sites/un2.un.org/files/sg_policy_brief_covid_south-east_asia_30_july_2020.pdf.

⁶¹ See https://unsdg.un.org/sites/default/files/2020-07/sg_policy_brief_covid_urban_world.pdf.

44. COVID-19 also had specific impacts on the right to development of people belonging to certain groups, such as migrants and people on the move;⁶² indigenous peoples;⁶³ minorities;⁶⁴ racial, national or ethnic communities;⁶⁵ older persons;⁶⁶ children;⁶⁷ women;⁶⁸ lesbian, gay, bisexual, transgender and intersex persons;⁶⁹ and persons with disabilities.⁷⁰

B. Access to vaccines and medicines

45. The availability of vaccines, medicines, technologies and therapies is an essential dimension of the rights to health and development and to the benefits of scientific progress and its applications. Everyone is entitled to enjoy access to the best available applications of scientific progress necessary to benefit from the highest attainable standard of health.⁷¹ Access to vaccines is also a requirement that engages the immediate rather than progressive responsibility of the State.⁷² Vaccines have become the new frontier in the struggle for equality.⁷³ OHCHR consistently advocated for solidarity in the fight against the pandemic.⁷⁴

46. The Social Forum of the Human Rights Council recommended that States ensure universal access to COVID-19 vaccines and treatments as global public goods.⁷⁵ In its guidance note on human rights and access to COVID-19 vaccines, OHCHR emphasized that unfair distribution of vaccines across countries, or the hoarding of vaccines, disregarded international legal norms and undermined the achievement of the Sustainable Development Goals.⁷⁶ United Nations human rights experts have called for universal and equitable access to vaccines.⁷⁷ The High Commissioner also emphasized that the principles of equality and non-discrimination must be respected in accessing vaccines, regardless of migration status.⁷⁸ The Secretary-General has called for the establishment of an emergency task force to develop and agree on a global vaccination plan with ambitious targets, including to at least double the production of vaccines; fully fund the Access to COVID-19 Tools Accelerator and its COVID-19 Vaccines Global Access Facility (COVAX); support national immunization programmes; and bring together all those with the power, scientific expertise, and production and financial capabilities to address the virus.⁷⁹

⁶² See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_people_on_the_move.pdf. See also www.ohchr.org/Documents/Issues/Migration/OHCHRGuidance_COVID19_Migrants.pdf.

⁶³ See www.ohchr.org/Documents/Issues/IPeoples/OHCHRGuidance_COVID19_IndigenouspeoplesRights.pdf.

⁶⁴ See www.ohchr.org/Documents/Issues/Minorities/OHCHRGuidance_COVID19_MinoritiesRights.pdf.

⁶⁵ See www.ohchr.org/Documents/Issues/Racism/COVID-19_and_Racial_Discrimination.pdf.

⁶⁶ See www.un.org/sites/un2.un.org/files/un_policy_brief_on_covid-19_and_older_persons_1_may_2020.pdf.

⁶⁷ See www.un.org/sites/un2.un.org/files/policy_brief_on_covid_impact_on_children_16_april_2020.pdf.

⁶⁸ See www.un.org/sites/un2.un.org/files/policy_brief_on_covid_impact_on_women_9_apr_2020_updated.pdf. See also www.ohchr.org/Documents/Issues/Women/COVID-19_and_Womens_Human_Rights.pdf.

⁶⁹ See www.ohchr.org/Documents/Issues/LGBT/LGBTIpeople.pdf.

⁷⁰ See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_persons_with_disabilities_final.pdf. See also www.ohchr.org/Documents/Issues/Disability/COVID-19_and_The_Rights_of_Persons_with_Disabilities.pdf.

⁷¹ Committee on Economic Social and Cultural Rights, general comment No. 25 (2020) on science and economic, social and cultural rights. See also www.ohchr.org/Documents/Events/COVID-19_AccessVaccines_Guidance.pdf.

⁷² A/HRC/47/23, para. 21.

⁷³ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=27088&LangID=E.

⁷⁴ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25833.

⁷⁵ A/HRC/46/59, para. 78.

⁷⁶ See www.ohchr.org/Documents/Events/COVID-19_AccessVaccines_Guidance.pdf.

⁷⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26484&LangID=E.

⁷⁸ See www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=27077&LangID=S (in Spanish).

⁷⁹ See www.un.org/sg/en/content/sg/speeches/2021-02-17/ensuring-equitable-access-covid-19-vaccines-contexts-affected-conflict-and-insecurity-remarks-security-council.

47. The World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization and OHCHR made a joint appeal for open science, in support of the international scientific community by fostering a culture of collaboration and solidarity and by sharing research outcomes and knowledge to make science widely accessible to everyone.⁸⁰ They also supported the solidarity call to action launched by WHO, the President of Costa Rica and the WHO COVID-19 technology access pool that seeks to facilitate the sharing of knowledge, intellectual property and data for the response to the pandemic.⁸¹

48. WHO has launched a call to action and the #VaccinEquity campaign. The Vaccine Equity Declaration⁸² calls upon global, national and local leaders to accelerate the equitable rollout of vaccines in every country, starting with health workers and those at highest risk. This includes scaling up vaccine manufacturing, including supporting local production. WHO has also launched a year-long campaign to address growing health inequalities and inequities within and among countries.⁸³

49. The Access to COVID-19 Tools Accelerator and its COVAX facility illustrate a potential instrument for global cooperation. The launch of the Accelerator set the basis for the formation of a partnership among WHO; the Coalition for Epidemic Preparedness Innovations; the Gavi Alliance; the Global Fund to Fight AIDS, Tuberculosis and Malaria; the World Bank Group; the United Nations Children's Fund; and others to support the development and equitable distribution of tests, treatments and vaccines and to strengthen health systems. The COVAX facility is co-led by the Gavi Alliance, the Coalition for Epidemic Preparedness Innovations and WHO.⁸⁴ The collaboration of WHO with partners – through the COVAX Advance Market Commitment mechanism, voluntary patent pooling through the COVID-19 technology access pool, and advocacy – is facilitating the acquisition and delivery of vaccines to lower-income countries. This collaboration is guided by the Fair Allocation Framework for COVID-19 vaccines, the WHO Strategic Advisory Group of Experts on Immunization Values Framework for the allocation and prioritization of COVID-19 vaccination, and the road map for prioritizing use of COVID-19 vaccines in the context of limited supply.

50. The High Commissioner has supported the Director General of WHO in calling for flexibility of trade regulations and patent waivers during the pandemic, stating that no one is safe until everyone is safe.⁸⁵ The Secretary-General has also called for exploring all options to expand vaccine production capacity such as voluntary licences and technology transfers to patent pooling and flexibility on intellectual property rights.⁸⁶

51. The Special Rapporteur on the right to development, in his report to the General Assembly,⁸⁷ observed that desperately needed medical supplies had not gone where they were needed most,⁸⁸ with some rich countries banning exports of those essential goods.⁸⁹

52. As mentioned earlier, the Expert Mechanism on the Right to Development, jointly with the Special Rapporteur on the right to development and other experts, issued a press release, in which they urged members of the World Trade Organization to cooperate on TRIPS waivers and vaccines to protect global public health.⁹⁰ The Expert Mechanism issued a study on the realization of the right to development in achieving the Sustainable Development Goals, where vaccine nationalism is linked to the failure of the duty to

⁸⁰ See www.ohchr.org/Documents/Press/WebStories/JointAppeal_OpenSciences_EN.pdf.

⁸¹ See www.ohchr.org/EN/NewsEvents/Pages/Open-Science-Appeal.aspx.

⁸² See www.who.int/campaigns/vaccine-equity/vaccine-equity-declaration.

⁸³ See www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-world-health-day-webinar.

⁸⁴ Seth Berkley, "COVAX explained", 3 September 2020.

⁸⁵ See <https://twitter.com/mbachelet/status/1369687965853753346>.

⁸⁶ See www.un.org/sg/en/content/sg/statement/2021-05-24/secretary-generals-video-message-the-world-health-assembly.

⁸⁷ A/75/167.

⁸⁸ See IMF, *World Economic Outlook: The Great Lockdown* (Washington, D.C., April 2020).

⁸⁹ World Bank, "COVID-19 to plunge global economy into worst recession since World War II", press release, 8 June 2020.

⁹⁰ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26817&LangID=E.

cooperate by many rich countries, which further impairs the realization of Sustainable Development Goal target 3.b.⁹¹

53. OHCHR and the University for Peace jointly offered the above-mentioned e-learning course on the right to development,⁹² which included a chapter on operationalizing the right to development and realizing global solidarity, shared responsibility and the duty of international cooperation in the fight against COVID-19.

54. In June 2021, a group of special procedure mandate holders of the Human Rights Council called upon the leaders of the world's largest economies to ensure that people in the global South had equal access to COVID-19 vaccines and not to allow the profit motive to undermine global health and equity.⁹³ The Independent Expert on human rights and international solidarity recommended that States urgently withdraw any health-care-related measures and actions that might violate binding international solidarity, especially any hoarding of vaccines, therapeutics and diagnostics, as well as support explicit exemptions of COVID-19 diagnostics, therapeutics and vaccines from certain provisions of the TRIPS Agreement.⁹⁴

55. In her report on the implementation and enhancement of international cooperation in the field of human rights,⁹⁵ the High Commissioner reiterated that vaccine production capacity worldwide should be massively scaled up, technologies widely shared, licences made available and affordability ensured. In March 2021, OHCHR, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Special Rapporteur on the human rights of migrants, and regional human rights experts jointly issued a guidance note in which they offered key proposals regarding vaccine distribution.⁹⁶

56. The Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights urged Governments to lift or suspend all unilateral sanctions obstructing the humanitarian responses of sanctioned States.⁹⁷ That statement was aligned with and echoed the statement of the High Commissioner to ease or suspend sanctions⁹⁸ and the appeal of the Secretary-General to waive sanctions that undermined the capacity of countries to respond to the pandemic.⁹⁹

C. Financial and technological support, including debt relief

57. The combination of increased public expenditures in health and social protection, diminished tax revenues and restricted access to external financing caused by the COVID-19 crisis threatens to push a large number of developing countries, including vulnerable middle-income countries, into debt distress. Credit rating agencies have downgraded the credit worthiness of 42 countries since the start of the pandemic, increasing the risk of a global sovereign debt crisis.¹⁰⁰

58. The fiscal impacts of debt distress in a growing number of countries severely limit the ability to invest in recovery, climate action and the achievement of the Sustainable Development Goals. Unless decisive action is taken to address debt and liquidity challenges, the risk of another “lost decade” is high.¹⁰¹ It is essential to ensure that developing countries

⁹¹ A/HRC/EMRTD/3/CRP.1.

⁹² See www.upeace.org/departments/e-course-on-the-right-to-development.

⁹³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27156.

⁹⁴ A/HRC/47/31.

⁹⁵ A/HRC/47/47.

⁹⁶ See www.ohchr.org/Documents/Issues/Migration/JointGuidanceNoteCOVID-19-Vaccines-for-Migrants.pdf.

⁹⁷ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25769&LangID=E. See also www.ohchr.org/Documents/Issues/UCM/UCMCOVID19GuidanceNote.pdf.

⁹⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25744&LangID=E.

⁹⁹ See www.un.org/en/coronavirus/war-needs-war-time-plan-fight-it.

¹⁰⁰ See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_liquidity_and_debt_solutions_march_2021. See also www.un.org/en/coronavirus/financing-development.

¹⁰¹ See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_liquidity_and_debt_solutions_march_2021.pdf.

have enough fiscal space not only to recover from the crisis, but also to build back better, including by investing in sustainable development and climate action for a more resilient, inclusive and sustainable future. This will require fresh financing, in some cases combined with debt relief measures. New borrowing should not be considered a concern, provided that it finances productive investments that enhance the resilience of the economy in the long run. Debt relief can free up resources and create conditions under which countries can return to voluntary market access and lower borrowing costs.¹⁰²

59. The High Commissioner has stressed the need for debt relief and for swift and generous financial and technical international support.¹⁰³ It has also amplified calls for sharing the benefits of development, including health technologies, knowledge, intellectual property, data and open science.

60. The Secretary-General, from the onset of the crisis, proposed a three-pronged approach to address impending debt and liquidity issues caused by the pandemic in developing countries: (i) a debt standstill to provide immediate breathing space for all countries that need it; (ii) additional, targeted debt relief for countries that require support beyond a temporary suspension of debt service; and (iii) addressing structural deficiencies of the international sovereign debt architecture to prevent defaults from leading to prolonged financial and economic crises in the future.

61. The Initiative on Financing for Development in the Era of COVID-19 and Beyond, jointly led by the Prime Ministers of Canada and Jamaica and the Secretary-General, urged that creative solutions be found to finance the recovery and build back better, underpinned by global solidarity and a commitment to multilateralism. The multi-stakeholder process, informed by two policy briefs by the Secretary-General on liquidity and debt solutions, resulted in a comprehensive menu of concrete actions and policy options to recover swiftly and build back better from the crisis occasioned by the COVID-19 pandemic. Moreover, the process resulted in the first ever meeting of Finance Ministers under the auspices of the United Nations, in September 2020. In March 2021, a follow-up high-level meeting underscored the need for more audacious and concrete action on addressing immediate liquidity constraints, targeted debt relief and a strengthening of the international debt architecture. The menu of concrete actions and policy options produced through the Initiative has now been embedded into the United Nations system.

62. As an additional part of the Initiative and to complement additional financing from public development banks, the Economic Commission for Africa launched a liquidity and sustainability facility¹⁰⁴ and Costa Rica proposed a fund to alleviate COVID-19 economics.¹⁰⁵ The new facility and proposed fund are aimed at mitigating the economic impact of the pandemic on individuals and the productive sectors of developing countries.¹⁰⁶

63. The G20 approved the Debt Service Suspension Initiative in April 2020, which has since been extended to December 2021. The Initiative offers a temporary suspension of “official sector” or Government-to-Government debt payments to 73 countries that are eligible for International Development Association assistance. To date, 43 countries have signed up. The G20 also launched the Common Framework for Debt Treatments beyond the Debt Service Suspension Initiative in November 2020, an agreement of the G20 and Paris Club countries to coordinate and cooperate on debt treatments for the 73 low-income countries that are eligible for the Initiative.

64. Some measures have been taken by international financial institutions to address liquidity and debt issues. The World Bank and IMF are supporting implementation of the Debt Service Suspension Initiative and Common Framework for Debt Treatments. A potential historic \$650 billion general allocation of special drawing rights is also under

¹⁰² See <https://unsdg.un.org/sites/default/files/2021-03/sg-policy-brief-on-liquidity-and-debt-solutions.pdf>.

¹⁰³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25833.

¹⁰⁴ See www.uneca.org/stories/eca-launches-lsf%2C-a-vehicle-for-debt-management-and-fiscal-sustainability.

¹⁰⁵ See www.cepal.org/en/pressreleases/costa-rica-presents-proposal-covid-19-economic-relief-fund.

¹⁰⁶ See www.un.org/sites/un2.un.org/files/financing_for_development_covid19_part_ii_hosg.pdf.

consideration by the IMF Board of Governors to address the long-term global need to supplement existing reserve assets, which is expected to be approved in August 2021. IMF is also exploring options for channelling unused special drawing rights from countries with sufficient international reserves to vulnerable countries to support health needs, including vaccinations, and help enable greener, more robust economic recoveries.¹⁰⁷

65. The Secretary-General continues to advocate for still bolder action to prevent a global debt crisis, including the following:

- (a) Further extension of the Debt Service Suspension Initiative, at a minimum until June 2022;
- (b) Expansion of eligibility for the Initiative and the Common Framework for Debt Treatments to vulnerable middle-income countries;
- (c) New issuance of special drawing rights and a reallocation of unused rights from countries with sufficient international reserves to vulnerable countries that need it, including middle-income countries;
- (d) Meeting official development assistance commitments and providing fresh concessional financing for developing countries, especially least developed countries and small island developing States;
- (e) Strengthening of the international debt architecture;
- (f) More effective incorporation of private creditors in debt relief in the context of the Common Framework;
- (g) Reform of credit rating agencies.

66. The Independent Expert on human rights and international solidarity recommended that States and multilateral agencies and other actors that lend funds maintain and possibly expand the current debt suspension regimes and implement debt cancellations.¹⁰⁸

67. In response to calls for debt relief, countries have mostly been offered either temporary debt moratoriums on limited bilateral and multilateral loans or additional concessional financing. While the former retains the original debt and continues accumulating interest over time, the latter is by design debt-augmenting. In addition, conditionalities on new multilateral loans have required austerity measures and reductions on social spending, at a time when additional investment in health, education and social protection is most urgent. Similarly, calls for at least a temporary suspension of sanctions on countries have gone unheeded.¹⁰⁹ The private sector also remains largely absent in the Common Framework for Debt Treatments, and only three countries have applied, owing in part to legitimate fears of being downgraded by a credit rating agencies.

68. The Secretary-General's COVID-19 response and recovery multi-partner trust fund¹¹⁰ is working hand-in-hand with countries to help them to cope with and recover from the pandemic's social and economic impacts. In various national recovery plans, a clear linkage with the country's integrated national financing framework process is articulated.¹¹¹ Such a framework sets out how the national sustainable development priorities and the Sustainable Development Goals in a country's sustainable development strategy will be financed and implemented.

69. The COVID-19 crisis has highlighted the critical role of information and communication technologies for the continued functioning of societies. It has also brought to the fore the startling digital inequalities between and within countries.¹¹² The Secretary-

¹⁰⁷ See www.imf.org/en/News/Articles/2021/03/23/pr2177-imf-execdir-discuss-new-sdr-allocation-us-650b-boost-reserves-help-global-recovery-covid19.

¹⁰⁸ A/HRC/47/31, para. 49.

¹⁰⁹ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26589&LangID=E.

¹¹⁰ See www.un.org/en/coronavirus/recoverbetter.

¹¹¹ UNDP, "Update on UNDP's socio-economic response – beyond recovery: towards 2030", briefing note No. 2, 25 January 2021.

¹¹² See www.itu.int/en/Pages/covid-19.aspx.

General called for urgent global collaboration to ensure that every person has safe and affordable access to the Internet by 2030.¹¹³ Recent developments in frontier technologies, including artificial intelligence, robotics and biotechnology, have shown potential for sustainable development. However, not everyone has equal access to the benefits of technological progress.¹¹⁴

70. The United Nations Technology Bank for Least Developed Countries is working with least developed countries, development partners and a range of different actors, including the private sector, to take action and boost local capacity in the areas of science, technology and innovation during and beyond the COVID-19 pandemic.¹¹⁵ The International Telecommunication Union (ITU) is helping countries to fully utilize digital technologies to respond to and recover from the pandemic¹¹⁶ and to build preparedness for similar future global emergencies.¹¹⁷ At the early stages of the crisis, in particular, it was important to provide information on the consequences of the pandemic and measures to mitigate the impact. The United Nations Industrial Development Organization has published a series of analyses, opinion pieces and articles on the impact of COVID-19 and its mitigation.¹¹⁸ The ITU/WHO focus group on artificial intelligence for health works in partnership with WHO to establish a standardized assessment framework for the evaluation of artificial intelligence-based methods for health, diagnosis, triage or treatment decisions.¹¹⁹

D. Green recovery

71. In the Paris Agreement, it was acknowledged that when taking action to address climate change, States should respect, promote and consider their respective obligations with regard to human rights and the right to development, as well as gender equality, the empowerment of women and intergenerational equity. In December 2020, the Secretary-General noted that recovery from the COVID-19 pandemic and repair of the planet had to be two sides of the same coin. In addition, he emphasized that COVID-19 and issues relating to climate change had brought the world to a threshold where humanity needed to step towards a safer, more sustainable and equitable path.¹²⁰ However, according to a recent United Nations study, only 18 per cent of COVID-19 recovery spending is expected to enhance sustainability. The study notes that in order to ensure sustainable outcomes, policies must directly prioritize biodiversity and be designed with strong requirements for community-oriented implementation that reflect cultural and ecological rights.¹²¹

72. Under the International Covenant on Economic, Social and Cultural Rights, States undertake to take steps individually and through international assistance and cooperation, to mobilize and allocate their maximum available resources towards progressively achieving the full realization of human rights recognized in the Covenant, including the right to the enjoyment of the highest attainable standard of physical and mental health. In line with the principles of international assistance and cooperation, States should share the necessary resources, knowledge and technology to address environmental harm and promote a green recovery, in particular to support those States that are most affected. In line with article 15 of the Covenant, the right of everyone to benefit from scientific progress and its applications should be safeguarded by States parties. Moreover, the precautionary principle should not

¹¹³ See www.un.org/en/content/digital-cooperation-roadmap/.

¹¹⁴ United Nations Conference on Trade and Development, *Technology and Innovation Report 2021* (February 2021).

¹¹⁵ See www.un.org/technologybank/content/response-to-covid-19.

¹¹⁶ See www.itu.int/en/SiteAssets/COVID-19/ITU-COVID-19-activities.pdf.

¹¹⁷ See www.itu.int/en/Pages/covid-19.aspx.

¹¹⁸ Information on the UNIDO response, including links to analyses, articles and project stories can be found at www.unido.org/unidos-comprehensive-response-covid-19.

¹¹⁹ See www.itu.int/en/ITU-T/focusgroups/ai4h/Pages/default.aspx.

¹²⁰ António Guterres, “Secretary-General’s address at Columbia University: ‘The state of the planet’”, 2 December 2020.

¹²¹ Brian J. O’Callaghan and Em Murdock, *Are We Building Back Better? Evidence from 2020 and Pathways to Inclusive Green Recovery Spending* (United Nations Environment Programme, 2021), p. 32.

hinder and prevent scientific progress, which is beneficial for humanity.¹²² It is noted that a vaccine for COVID-19 or environmentally sound technologies, as solutions to global problems, should be accessible to all. States should actively support, consistent with their relevant obligations under international law, the development, dissemination and transfer of climate mitigation and adaptation technologies in support of green recovery and development. Technology transfers between States should ensure a just, comprehensive and effective international response to environmental crises and the pandemic, in line with the principle of equity and common but differentiated responsibilities and respective capabilities as outlined in article 3 of the United Nations Framework Convention on Climate Change.

73. Effective responses to COVID-19 and environmental crises should be global responses grounded in solidarity, compassion, respect for human dignity and ecological integrity.¹²³ Actions and international cooperation must build on obligations of States set out in international instruments such as the International Covenant on Economic, Social and Cultural Rights and the Universal Declaration of Human Rights, and also on the commitments made by States and other duty bearers in declarations such as the Declaration on the Right to Development, and the Rio Declaration on Environment and Development. Collaboration involving Governments, international partners, civil society, activists, the private sector, and all individuals and peoples is needed to realize all human rights, including the right to development, and to achieve sustainable development that equitably meets the needs of present and future generations.

74. OHCHR and the United Nations Environment Programme issued joint key messages on human rights, the environment and COVID-19.¹²⁴ The key messages highlight that around 60 per cent of all infectious diseases and 75 per cent of all emerging infectious diseases in humans, including COVID-19, are zoonotic.¹²⁵ Ecosystem integrity is the foundation of human health and development and critical for the effective enjoyment of human rights, including the right to development. Although the human right to a healthy environment is presently not universally recognized, integrating it into key environmental agreements and processes promotes a holistic response to and recovery from COVID-19. In its resolution 46/7, the Human Rights Council noted that more than 155 States had recognized some form of a right to a healthy environment in, inter alia, international agreements or their national constitutions, legislation or policies.¹²⁶

75. OHCHR has contributed to the Inter-Agency Standing Committee key messages on climate change, humanitarian action and COVID-19, launched in November 2020, stating that climate change and COVID-19 require global-to-local risk prevention, responses and solutions consistent with rights of those affected, leaving no one behind.¹²⁷ OHCHR has also contributed to supporting efforts to recover better and greener from the COVID-19 pandemic within the context of the United Nations Environment Management Group, including through participating in the newly established consultative process on COVID-19 and the

¹²² Committee on Economic, Social and Cultural Rights, general comment No. 25 (2020), para. 57.

¹²³ See www.unep.org/resources/report/human-rights-environment-and-covid-19-key-messages.

¹²⁴ Ibid.

¹²⁵ See https://environmentlive.unep.org/media/docs/assessments/UNEP_Frontiers_2016_report_emerging_issues_of_environmental_concern.pdf.

¹²⁶ In his call to action for human rights, the Secretary-General calls for an increase in United Nations support to Member States at the field level for laws and policies that regulate and promote the right to a safe, clean, healthy and sustainable environment, and for effective individual access to justice and effective remedies for environment-related concerns (see António Guterres, “The highest aspiration: a call to action for human rights”, 2020). See also Council resolution 41/21; and resolution 4/17 of the United Nations Environment Assembly of the United Nations Environment Programme, on promoting gender equality and the human rights and empowerment of women and girls in environmental governance, which includes a specific focus on human rights and an explicit reference to the human right to a healthy environment.

¹²⁷ Inter-Agency Standing Committee, “Key messages: climate change, humanitarian action and COVID-19”, November 2020.

environment,¹²⁸ as well as supporting a dedicated issue management group on human rights and the environment.¹²⁹

76. Several special procedure mandate holders have highlighted the importance of ensuring that the recovery efforts from COVID-19 are both green and anchored in human rights. For instance, in a report to the General Assembly in October 2020, the Special Rapporteur on extreme poverty and human rights emphasized the importance of integrating poverty reduction and human rights in green recovery efforts.¹³⁰ He also issued a report in September 2020 on social protection in post-pandemic recovery, in which he stated that environmental injustices caused by climate changes were now well-documented and could not be ignored.¹³¹ In addition, the Special Rapporteur on human rights and the environment and the Special Rapporteur for economic, social, cultural and environmental rights of the Inter-American Commission for Human Rights of the Organization of American States issued a joint statement to highlight challenges related to the pandemic and the global environmental crisis in August 2020.¹³²

IV. Conclusions and recommendations

77. **Viruses do not respect borders. Global solidarity and concerted political action are necessary to ensure that vaccines are available to all countries in need. Technology transfer and the sharing of information and data, in particular, will be of great importance to ensuring a successful and inclusive global vaccination campaign. This approach should also be the hallmark of all efforts to secure access to treatments and therapies beyond vaccines. States should operationalize COVID-19 vaccines as a global public good, available and affordable to all, especially those most in need, and work together to ensure sufficient supply and fair distribution.**

78. **Ensuring access to health care and vital social protections for all should be global priorities. Information, medicines and tools to prevent, detect and treat COVID-19 should be available to everyone. Treatment should be available to everyone without discrimination, including the most vulnerable and marginalized. It is necessary to address pre-existing barriers to access and to ensure that no one is denied timely and appropriate treatment because they lack the means to pay for it; because of discrimination, including on the basis of age, disability, gender or sexual orientation; or because stigma prevents them from getting treatment.**

79. **The benefits of scientific advancements and discoveries must be shared for the common good. The expansion of local production is needed, thereby increasing COVAX capacity to serve the billions of people who are being left behind in terms of access to COVID-19 vaccines. We must ensure a coordinated global approach to pandemics and health emergencies in line with the International Health Regulations (2005) and the relevant goals under the 2030 Agenda for Sustainable Development. Efforts should be directed at the following areas, among others: increasing manufacturing capacity and ensuring equitable global access to COVID-19 medicines, vaccines, therapies and health technologies; the pooling and sharing of knowledge, intellectual property and data; participation in global initiatives aimed at supporting equitable, non-discriminatory access to health goods, facilities and services, such as the COVID-19 technology access pool; and strengthening of health systems. States should cooperate to support initiatives, including the Access to COVID-19 Tools Accelerator and its COVAX facility, and the waiver of certain provisions of the TRIPS Agreement.**

¹²⁸ United Nations Environment Management Group, “Consultative process on COVID-19 and the environment”. Available at <https://unemg.org/covid-19-and-environment/>.

¹²⁹ See https://unemg.org/wp-content/uploads/2020/12/FINAL_Report_SOM26.pdf (para. 47). More information about the work of the issue management group is available at <https://unemg.org/human-rights-and-environment/>.

¹³⁰ A/75/181/Rev.1. See also OHCHR, “States must combine fight against poverty with drive for green economy – UN expert”, 21 October 2020.

¹³¹ See www.ohchr.org/Documents/Issues/Poverty/covid19.pdf (para. 62).

¹³² See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26165&LangID=E.

80. The COVAX facility urgently needs more resources to procure and deliver vaccines for low- and middle-income countries, and to continue vital research and development. It is essential that health systems in the poorest countries be protected from collapse; that an adequate supply of vaccines, therapeutics and diagnostics, and fair distribution be ensured, including by having manufacturers prioritize a supply to COVAX; and that excess doses be shared with the COVAX facility. It is also necessary to increase the availability of licences in order to scale up manufacturing, and to boost vaccine confidence. A global plan for equitable access to COVID-19 vaccines, tests and treatments is urgently needed.

81. Developing countries urgently need access to additional financial support to respond to the pandemic and to invest in a sustainable recovery. Unity and solidarity are urgently needed to save lives and prevent communities and economies from falling into catastrophic debt and dysfunction. It is essential that the fall in concessional financing be reversed, including in middle-income countries. Development assistance is needed more than ever, and donors and international institutions are urged to step up. Calls, including from the International Monetary and Finance Committee, for a large issuance of special drawing rights and a reallocation of unused rights to countries in need, including vulnerable middle-income countries, should be supported.

82. Additional debt relief to countries in dire need, including middle-income countries, is needed. The Debt Service Suspension Initiative should be extended into 2022, and it should also be made available to highly indebted middle-income countries that request it. Both the Debt Service Suspension Initiative and the G20 Common Framework for Debt Treatments should be expanded to include all countries in need. A new multilateral debt restructuring mechanism could provide a menu of options, including debt swaps, buy-backs and cancellations. This is also the moment to tackle long-standing weaknesses in the international debt architecture, from lack of agreed principles and private sector engagement to restructurings that provide too little relief too late. Liquidity is crucial to prevent debt defaults. Increased resources for multilateral financial institutions are also necessary.

83. International scientific cooperation is essential in order to push for global coordinated action and solidarity between countries. Digital technologies have also been a key solution during the crisis to address essential needs and services. Inclusive digital systems are needed to bridge the digital divide and give everyone the same opportunities. People everywhere should have affordable, meaningful and safe access to the Internet by 2030, and all schools should be online as quickly as possible.

84. The appeal made by the Secretary-General to waive sanctions that undermine the capacity of countries to respond to the pandemic remains.

85. It is essential that the recovery efforts be anchored in human rights, building a new social contract with opportunities for all. A rights-based approach to the COVID-19 recovery and response requires that the international community build better, greener and more sustainably and that all relevant stakeholders have a seat at the table. Economic stimulus packages should protect and benefit the most vulnerable while advancing efforts to realize all human rights, achieve the Sustainable Development Goals of the 2030 Agenda, and promote ambitious environmental action. The response to the COVID-19 crisis presents an opportunity to support improved social protection measures and a just transition to a sustainable economy founded on renewable energy, environmentally sound technology, sustainable resource use, equity, community empowerment and dignified livelihoods.

86. As highlighted by the Secretary-General in his call to action for human rights, human rights, including the right to development, are central to our most pressing issues: sustainable development; inequalities; rights of future generations, especially climate justice; and a safe digital world. Cutting across all these issues is the need to ensure meaningful and inclusive participation. It is essential that the voices of diverse people, in particular those most at risk of being neglected or ignored, be heard. Access to reliable information, vibrant debates and transparent processes are critical to building trust – the trust necessary to build back better.
