



General Assembly

Distr.: General
31 July 2023

Original: English

Seventy-eighth session

Item 73 (b) of the provisional agenda*

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Promotion of a democratic and equitable international order

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Independent Expert on the promotion of a democratic and equitable international order, Livingstone Sewanyana, in accordance with Assembly resolution [77/215](#).

* [A/78/150](#).



**Report of the Independent Expert on the promotion of a democratic and equitable international order,
Livingstone Sewanyana**

Summary

In the present report, submitted pursuant to General Assembly resolution [77/215](#), the Independent Expert on the promotion of a democratic and equitable international order highlights the main observations and recommendations from his previous reports during the past six years.

Contents

	<i>Page</i>
I. Introduction	4
II. Main observations and recommendations from the reports of the Independent Expert	5
A. Public participation and decision-making in global governance spaces	5
B. Interplay between the economic policies and safeguards of international financial institutions and good governance at the local level	7
C. In defence of a renewed multilateralism to address the COVID-19 pandemic and other global challenges	9
D. Rethinking global peace and security	12
E. Youth	14
III. Conclusions	17

I. Introduction

1. The present report of the Independent Expert on the promotion of a democratic and equitable international order, Livingstone Sewanyana, is submitted pursuant to General Assembly resolution 77/215. It is the final report of the current mandate holder to the Assembly since his appointment by the Human Rights Council at its thirty-seventh session, in 2018.

2. In the present report, the Independent Expert highlights the main observations and recommendations from his previous reports during the past six years. Those reports were informed by multilateral and bilateral consultations with experts, questionnaires sent to Member States, civil society and other stakeholders, as well as extensive research and desk reviews.

3. The work of the Independent Expert was guided by the existing normative human rights framework that incorporates the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, international human rights treaties, declarations and resolutions, including those of the General Assembly and the Human Rights Council, and the Sustainable Development Goals, all of which reaffirm the faith of the international community in human rights, dignity and the worth of the human person, in the equal rights of men and women and in the duty of States, small and large, to create conditions to promote social progress and better standards of life, while maintaining international peace and security.

4. In his 2018 vision report (A/HRC/39/47), the Independent Expert presented his preliminary views and intended scope of work, highlighting the vision and thematic priorities¹ to be addressed within the framework of the mandate. Nearly all of these priorities were tackled during his tenure. In fact, his tenure was marked by two major global developments that have had a profound impact on the realization of a democratic and equitable international order, and required him to recalibrate his priorities: the coronavirus disease (COVID-19) pandemic, which started in March 2020, and the post-pandemic recovery; and the invasion of Ukraine by the Russian Federation in February 2022. The Independent Expert addressed these developments in two of his reports, as well as in several communications and press releases.

5. During his tenure, the Independent Expert issued, individually and jointly, 191 communications² and issued 50 press releases and media statements, the majority on a joint basis. He sent requests for country visits to 29 countries, many of which were regrettably left unanswered.³ He thanked the Government of Georgia for inviting him to undertake a country visit, which he completed in April 2023.⁴

6. The Independent Expert participated in several conferences and expert consultations on various topics pertinent to his mandate, convened by different stakeholders. The list of events can be found in each report.

7. The Independent Expert wishes to thank everyone who took the time to engage with him during his tenure, in person or remotely. He found all the exchanges highly stimulating and rewarding as they informed his thinking on all issues tackled.

¹ According to the vision report of the Independent Expert, these thematic priorities are: forms and practice of democracy; public participation and decision-making in multilateral institutions; corruption and open government; the emergence of global governance forums; global economic challenges; and youth facing fragility and violence as well as opportunity.

² See <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

³ See <https://www.ohchr.org/en/special-procedures/ie-international-order/country-visits>.

⁴ Office of the United Nations High Commissioner for Human Rights, “UN expert on international order to visit Georgia”, 25 April 2023.

II. Main observations and recommendations from the reports of the Independent Expert

A. Public participation and decision-making in global governance spaces

8. In his 2019 reports to the General Assembly and the Human Rights Council (A/74/245 and A/HRC/42/48), the Independent Expert looked at the intersectional topic of public participation and decision-making in global governance spaces and its impact on a democratic and equitable international order. Such spaces include the Group of Seven, the Group of 20, the group consisting of Brazil, the Russian Federation, India, China and South Africa (commonly known as “BRICS”), the Group of 77 (including the Intergovernmental Group of 24 on International Monetary Affairs and Development), the Movement of Non-Aligned Countries, the World Economic Forum and the Bilderberg Meeting. He noted that these intergovernmental, multisectoral and private groupings had gained significant importance at the geopolitical, economic and financial levels as they played a considerable role in developing the framework and function of the international order, in parallel to the United Nations system. From setting global economic priorities to coordinating responses to transnational challenges such as global migration, fair trade, global peace and security, climate change, terrorism and corruption, decisions taken by intergovernmental, multisectoral and private groupings affect not only their members and those who engage with them but also populations outside of their territories.

9. While the configurations and methods of decision-making differed according to each group, in each case their meetings and policies invited intense public scrutiny and even protests, exemplifying the scope of their influence on global governance and the major positions that they occupy as conveners of the world’s leaders and global thinkers. However, these groupings remained largely inaccessible to the public, in particular those whose lives and livelihoods are affected by the decisions taken, thus contributing to the democratic deficit in the global decision-making process. The Independent Expert concluded that, as global governance forums, they had an obligation, as much as traditional multilateral institutions such as the United Nations in general, the World Bank and the International Monetary Fund (IMF), to make decisions in accordance with such basic principles of democratic governance as transparency, inclusivity, responsiveness and accountability.

Recognize the positive role of public participation

10. The Independent Expert noted that, as highlighted in the various submissions received following the call for input issued in preparation for the drafting of the reports, public participation means, inter alia, that decisions taken would be informed by a wide range of actors, such as marginalized populations that were most vulnerable to the consequences of the decisions taken, and civil society interlocutors who could contribute expertise in diverse areas to discussions. As a result, policies made through participatory processes were likely to be more effective and sustainable because they had been vetted by affected populations and independent outsiders and experts. The Independent Expert stressed that, in order for meaningful public engagement at the global governance level to take place, it was crucial that a safe and conducive environment be ensured at the local level: in other words, practices of access at the national level will influence access at the supranational level.

11. The Independent Expert recommended that global governance spaces and their respective member States and non-State members allow and proactively encourage public participation in all relevant stages of the discussions and decision-making

processes of global governance spaces; acknowledge the importance of public participation in a charter or similar document; provide access to global governance spaces without discrimination of any kind; ensure that engagement with civil society is diverse and inclusive, in particular in relation to individuals and groups that are marginalized or discriminated against, including women, children, young people, older persons, persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons, members of minorities, Indigenous Peoples, migrants and refugees, and treat all engagement groups equally.

Improve procedural and effective access

12. The Independent Expert was informed repeatedly that only a very small number of civil society actors actually knew the rules and procedures governing public participation in these spaces, let alone which official in their home countries to contact to get involved in the process. It was predominantly a relationship-based process, one between civil society representatives and officials from relevant ministries in the States members of the global governance spaces who had existing good working relationships. For other organizations that were able to participate, access came by chance as one of their partners guided them on how to navigate the process. Furthermore, since host countries are better connected with local civil society organizations, they may not conduct as much outreach to civil society in other relevant countries. The Independent Expert recommended that global governance spaces, inter alia, develop and make widely available a clear and transparent set of policies and procedures on participation in order to make access more consistent and reliable, and undertake wide outreach on in-person and online participation by civil society in decision-making processes.

Actively support public participation

13. The Independent Expert noted that funding was a core issue that severely hampered public participation in global governance spaces. Travelling to working group meetings and summits could be very costly for civil society organizations, and external funding was reportedly scarce, which negatively affects the diversity of participants. He called for the establishment of funding pools that are managed independently of member States and reserved for participants from organizations with modest financial means, in particular those working on behalf of individuals and groups that are marginalized or discriminated against, and allocate funds on the basis of the principles of equity and fairness. The timely issuance of visas for participants, especially those from developing countries, had also been identified as a cause for concern. The Independent Expert recommended that global governance spaces issue invitations and registration information to civil society participants diligently and called for the timely issuance of visas.

Allow influence over decision-making processes

14. Most of the interlocutors from all the various civil society engagement groups with whom the Independent Expert interacted were unable to evaluate, or voiced overall scepticism about, the impact of their advocacy work on the decision-making processes of global governance spaces. Public participation was described as primarily tokenistic, deemed a box-ticking exercise, without a seat at the negotiation table. Members of the engagement groups reportedly had very limited space to shape the annual agendas of the global governance spaces. The Independent Expert shared some good practices worth emulating, including in relation to gender equality. He recommended that global governance spaces allow civil society to contribute to shaping the agendas of discussions and to advocate issues outside the spaces' agendas.

Be accountable for commitments made in the global governance spaces

15. The issue of public participation in global governance spaces, and the ability to influence their decision-making processes, could not be viewed in isolation from the key issue of the accountability of the member States for the commitments made by them. After each summit, member States issue a collective statement in which they make a series of commitments on various priority issues. While these commitments were declaratory or political in nature and, as such, not legally binding, States members of the global governance spaces should be accountable for the commitments that they make, with a view to achieving a democratic and equitable international order. The Independent Expert recommended that global governance spaces establish robust independent accountability mechanisms to measure progress towards fulfilling the commitments made at the summits and implementing the Sustainable Development Goals in a reliable, objective and systematic manner.

16. The Independent Expert held the view that, in order to increase leverage in ensuring implementation of the commitments made and ultimately ensure a democratic and equitable international order, the commitments could be linked to United Nations and regional human rights mechanisms.

B. Interplay between the economic policies and safeguards of international financial institutions and good governance at the local level

17. The Independent Expert devoted his 2020 report to the General Assembly and the Human Rights Council (see [A/75/206](#) and [A/HRC/45/28](#)) to the interplay between the economic policies and safeguards of international financial institutions and good governance at the local level.

18. The international financial institutions referred to in the report were the World Bank, IMF, the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the European Investment Bank and the Inter-American Development Bank. These institutions provide loans, credits and grants to developing countries, policy advice, technical assistance and global public goods with the aim of reducing global poverty and achieving sustainable economic, social and institutional development, among others, and most of them have committed to supporting the 2030 Agenda for Sustainable Development. Through their activities, international financial institutions can have a direct influence on how national authorities deliver on good governance and therefore abide by their obligation to respect the human rights of their population. It is first and foremost the responsibility of States, in particular in their capacity as clients of international financial institutions, to ensure good governance and respect for human rights on the ground.

Ensure effective public participation of affected communities

19. The Independent Expert, while noting that all international financial institutions had adopted environmental and social safeguards that address stakeholder engagement, regretted that such engagement at the project level reportedly remains a regular problem in many countries. The requirements of international financial institutions for consultations failed to address the inherent power imbalances that exist between the borrower and the communities affected by the project. The Independent Expert recommended that international financial institutions ensure that their safeguard frameworks contain a clear commitment to respecting human rights and conducting human rights due diligence and to requiring their clients to do likewise.

20. More generally, an enabling environment at the local level where international financial institutions decide to invest was critical. Free and unhindered exercise of the rights to freedom of opinion and expression, freedom of peaceful assembly and freedom of association, as guaranteed under international human rights law, was the bedrock of meaningful public participation in decision-making processes. Accordingly, the Independent Expert recommended that international financial institutions, prior to making an investment decision, include assessment of the enabling environment for the participation of communities and civil society, of potential reprisals and, more generally, of the human rights situation in project- and country-level engagement in due diligence processes. He further recommended that they engage with clients and States on the importance of ensuring a safe environment that is conducive to the exercise of fundamental rights and freedoms and that they provide adequate space and concrete support for community-led human rights due diligence.

Enhance transparency

21. Early and timely access to information for stakeholders affected by development projects was of paramount importance so that they could meaningfully engage in the development process at stake. Several international financial institutions had put in place disclosure policies pertaining to access to information for the projects that they fund. These policies covered the proactive sharing of information, as well as reactive responses to requests for information. Other international financial institutions were encouraged to adopt similar policies. Specifically, the Independent Expert recommended that international financial institutions explicitly recognize the right to access to information; enforce the presumption of proactive disclosure of information, with limited, specific exemptions; and translate all documents in a language understood by affected communities.

Combat acts of reprisals in the context of development activities

22. The Independent Expert expressed grave concern about acts of reprisals against those seeking participation in consultations around development projects funded by international financial institutions, critics or plain opponents of such projects – be they community members, Indigenous Peoples, farmers, land activists, workers or members of civil society organizations. These acts range from acts of intimidation, stigmatization (such as labelling as “anti-development” and “terrorist”), criminalization and judicial harassment to physical attacks and killings. He noted that several international financial institutions voiced publicly their opposition to reprisals and developed specific protocols to address risk or reprisals against defenders. He called for further concrete progress across the spectrum of international financial institutions in that area. In this regard, he recommended that international financial institutions take proactive measures to prevent the occurrence of reprisals, systematically and publicly denounce instances of reprisals and push local authorities to investigate promptly and thoroughly such instances and bring the perpetrators to justice.

Strengthen independent accountability mechanisms

23. In relation to independent accountability mechanisms set up by international financial institutions, the Independent Expert holds the view the idea that such mechanisms, in order to enhance good governance, should be legitimate, accessible, predictable, equitable, transparent and rights-compatible, in accordance with the effectiveness criteria for non-judicial grievance mechanisms set out in principle 31 of the Guiding Principles on Business and Human Rights. He recommended that international financial institutions give independent accountability mechanisms

sufficient powers and resources and make their decisions enforceable and that they obtain consensus from the affected communities with respect to the design and membership of grievance mechanisms at the project level.

Conduct human rights assessments prior to imposing loan conditionalities

24. In relation to State responsiveness to the needs of the population, and in the context of the COVID-19 pandemic, the Independent Expert strongly cautioned against the imposition by international financial institutions of retrogressive measures, attached to loan conditionalities, which was likely to undermine the enjoyment of economic, social and cultural rights. In this regard, the Independent Expert stated that it was crucial that economic reforms attached to international loans and introduced after the emergency phase to address the pandemic's large-scale and most likely long-lasting human rights impact, including austerity measures, be carefully assessed against human rights standards in order to avoid potential retrogressive measures and ensure that the maximum available resources were indeed devoted to the realization of economic, social and cultural rights. In this regard, he recommended that international financial institutions conduct human rights impact assessments prior to imposing loan conditionalities that compel States to take retrogressive measures.

Reinforce anti-corruption measures

25. While States bore the main responsibility under international human rights law for ensuring the realization of human rights, with corruption prevented from flourishing, the role of international financial institutions, in addition to compliance by the private sector, was certainly of paramount importance in curbing corruption and therefore upholding good governance at the local level. The Independent Expert noted positively that, since the 2000s, international financial institutions had increasingly taken measures to combat corruption and had become key players in global anti-corruption efforts, mainly through governance reform in client countries and the adoption of anti-corruption measures within their operational activities. However, several problems remain. He recommended that international financial institutions, inter alia, embrace a human rights-based approach to combating corruption that focuses on the victim, State responsibility, prevention and redress; conduct robust anti-corruption due diligence processes; automatically flag instances of corruption to the national authorities and, as necessary, put pressure on them to take the required action; and formally recognize the role of civil society as independent monitoring groups in the fight against corruption and strengthen their capacities in this respect.

C. In defence of a renewed multilateralism to address the COVID-19 pandemic and other global challenges

26. In the midst of the COVID-19 pandemic, the Independent Expert decided to focus his 2021 report to the General Assembly and the Human Rights Council ([A/76/153](#) and [A/HRC/48/58](#)) to the need for renewed multilateralism in the face of the pandemic. He examined to what extent the pandemic constituted a most serious test to multilateralism and how it could be the opportunity, as advocated in different forums, for strengthened, more effective and inclusive multilateralism, with a view to addressing the ongoing pandemic and future global challenges, while achieving a democratic and equitable international order.

Ensure equitable global access to vaccines

27. The Independent Expert observed that the equitable global distribution of vaccines, as the prime means to protect global public health, ought to be the most profound manifestation of the spirit and *raison d'être* of multilateralism. He praised the essential work of the World Health Organization (WHO) and of all the partners under the Access to COVID-19 Tools Accelerator scheme, which was aimed at achieving the rapid development of vaccines, diagnostics and therapeutics, and equitable access to those tools through the COVID-19 Vaccine Global Access (COVAX) Facility. However, he expressed deep concern about a “two-track pandemic”, with high-income countries, which had access to vaccines and as a result started relaxing safety measures, and other countries, which had no or limited access to vaccines and were facing a very precarious situation.

28. The Independent Expert voiced similar concern about instances of vaccine nationalism and hoarding, whereby some States had sought to strike deals with pharmaceutical companies that manufacture vaccines for the benefit of their own citizens. Furthermore, he denounced the phenomenon of vaccine diplomacy, whereby vaccines had become a diplomatic weapon in the arsenal of some States to advance their geopolitical influence over other countries, thereby hampering the equitable distribution of vaccines. He urged Member States to end such vaccine nationalism and vaccine diplomacy practices.

29. In addition, the Independent Expert regretted the opposition by most developed States to the application made by two World Trade Organization (WTO) member States before the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS) for a waiver from certain provisions of the TRIPS Agreement for the prevention, containment and treatment of COVID-19 so that patents, industrial designs, copyright and protection of undisclosed information would not create barriers to timely access to affordable medical products, including vaccines and medicines, or to the scale-up of research, development, manufacturing and supply of medical products essential to combating COVID-19. He urged WTO member States to agree to such a waiver.

30. The Independent Expert was also disheartened by the greed of some pharmaceutical companies that were exerting pressure on several WTO member States to block the waiver of the TRIPS Agreement. He deemed it necessary to remind them of their responsibility to respect human rights. He recommended that pharmaceutical companies and other private sector entities consent to the waiving of their intellectual property rights to ensure that those who need affordable medical products, including vaccines and medicines, can obtain timely access to them as soon as possible.

Strengthen WHO and the global health architecture

31. The Independent Expert echoed the need identified in several review processes to strengthen WHO ahead of the next epidemic to enable it to perform its fundamental mission to promote health, keep the world safe and serve the vulnerable. Critically, WHO needed to be adequately funded – that is, it should rely far less on voluntary contributions and far more on membership contributions to guarantee the predictability and sustainability of funding. He noted the report of the Independent Panel for Pandemic Preparedness and Response, established at the request of the World Health Assembly in May 2020, to initiate an impartial, independent and comprehensive review of the international health response to the COVID-19 pandemic and of experiences gained and lessons learned from it, and to make recommendations to improve capacities for the future. The Independent Panel found weak links at every point in the chain of preparedness and response. The Independent

Expert recommended that urgent action be taken on the recommendations of the Independent Panel, in particular the adequate funding and empowering of WHO.

32. The Independent Expert further recommended that full support be provided to the One Health approach of WHO as another key part of the equation in the strengthening of the global health response. The One Health approach supports the design and implementation of programmes, policies, legislation and research, in which multiple sectors communicate and work together to achieve better public health outcomes.

Adopt a human rights-based international treaty for pandemic preparedness and response

33. The Independent Expert voiced support for the adoption of an international treaty for pandemic preparedness and response, given its added value, complementing the international health regulations. He recommended that a wide, open and genuine consultation process occur in the framework of the World Health Assembly, including all WHO member States, regional international organizations and, importantly, civil society, including from the global South, free from pressure from the pharmaceutical industry.

34. Furthermore, it would be important that this new instrument explicitly refer to the relevant obligations of States to protect human rights and fundamental freedoms during the pandemic, including the right to health; the right to life; the right to freedom of expression, including access to information; and the right to privacy. Likewise, it should take into account the plight of the groups most affected by the pandemic.

Ensure a fair multilateral economic recovery

35. With regard to the multilateral socioeconomic recovery, the Independent Expert stressed that, in order for such recovery to be equitable, it was imperative to avert a major global debt crisis and increase fiscal space for countries affected by the pandemic, bearing in mind the pre-existing debt vulnerabilities of developing countries. He welcomed the emergency measures taken so far by different stakeholders, including IMF and the World Bank, to mitigate the effects of the crisis, and voiced his full support for the framework aimed at ensuring debt relief that had been proposed by the United Nations. He recommended that international financial institutions further increase fiscal space for countries affected by the pandemic through temporary debt suspension, emergency financing, debt restructuring and debt cancellation; take all the measures necessary to prevent the misuse of funds allocated on an emergency basis to respond to the COVID-19 crisis; and ensure that support during the COVID-19 response and recovery will not result in cutbacks in public expenditure.

36. The Independent Expert also advocated for an overhaul of the global tax system to be undertaken as soon as possible and pointed out that international tax reform is about renewing fiscal sovereignty through greater cooperation and that the best forum to achieve that goal is the United Nations, with a view to ensuring global inclusion and transparency.

37. He voiced support for the establishment of a global fund for social protection, with a view to helping countries to shield their populations from future pandemics, and called upon Member States to contribute to it substantively. He further called for the introduction of an emergency universal basic income as one of the key measures to mitigate the devastating consequences of the pandemic.

38. He also warned against the exacerbated impact of unilateral coercive measures in the context of the pandemic, which are endured first and foremost by the civilian population of the targeted countries. He recommended that Member States lift all unilateral coercive measures that obstruct the humanitarian responses of sanctioned States.

39. Furthermore, he deemed it appropriate to refer to the United Nations draft declaration on human rights and international solidarity, the relevance of which was further accentuated by the current pandemic, and called for its adoption.

Treat civil society as an essential partner in the response to the pandemic and other global challenges

40. The Independent Expert paid tribute to the vital work of civil society actors in the context of the pandemic. He noted that, under very difficult circumstances, they had been providing essential services to those in need, epitomizing the principles of resilience, solidarity and community that civil society so beautifully incarnates. They have also held their Governments accountable for their often inadequate health responses, monitored the use of emergency funding received from international financial institutions to combat corruption and/or advocated for the full protection of human rights and fundamental freedoms in this particular context, pushing back temporary, unduly restrictive emergency measures. As a result of their efforts, in many instances, civil society actors have been targeted, including through censorship, intimidation, threats, criminalization, arrests and detention.

41. The Independent Expert recommended that Member States ensure a safe environment that is conducive to the important work of civil society and that they treat civil society actors as essential partners in the response to the pandemic and other global challenges and increase or, at the very least, maintain their funding.

D. Rethinking global peace and security

42. In February 2022, the Russian Federation invaded Ukraine in clear violation of international law, undermining the rules-based international order at its very core. This prompted the Independent Expert to focus his fifth report to the General Assembly and the Human Rights Council (see [A/77/180](#) and [A/HRC/51/32](#)) on some of the main challenges and issues at stake in relation to the maintenance and strengthening of international peace and security at the global level from the perspective of his mandate, and possible ways to overcome them.

Uphold the centrality of international law and peace in safeguarding international order

43. The Independent Expert first highlighted the centrality of international law and peace in safeguarding international order. According to him, full and unconditional respect for international law, including international human rights law and international humanitarian law, is the condition sine qua non for realizing a peaceful, prosperous, resilient and just international order, with the Charter of the United Nations as the backbone of international law. He regarded peace as the highest and most noble aspiration of humankind and the paramount principle of international order. He observed that multilateralism through dialogue, diplomacy and negotiation, and based on collective responsibility, was the sole path for solving conflicts and maintaining international peace and security, while stressing the special responsibility of permanent members of the Security Council in this regard.

44. The Independent Expert recommended that Member States, inter alia, abide by the Charter of the United Nations, including by settling their international disputes

by peaceful means and refraining in their international relations from the threat or use of force; uphold the Declaration on the Right to Peace, the Programme of Action on a Culture of Peace, the General Assembly resolutions on a culture of peace and all other relevant United Nations resolutions; abide by the Secretary-General's call for a global ceasefire in all corners of the world; endorse and implement the Secretary-General's New Agenda for Peace; and respect the right to conscientious objection to military service without delay. He also recommended that the United Nations discuss threats to global peace and security and the realization of a democratic and equitable international order in the context of the forthcoming Summit of the Future.

Achieve nuclear disarmament, commit to arms control and disarmament, and reduce military expenditure

45. The Independent Expert stated that the tragic events in Ukraine were a powerful reminder that international peace and security in general could not be fully secured without achieving nuclear disarmament, revitalizing the international community's commitment to arms control and disarmament, and reducing military expenditure in favour of sustainable development.

46. After explaining that the nuclear threat had been an issue of acute concern to the international community for decades, and noting the statement of the Russian Federation ordering its nuclear weapons to be put on high alert, despite having joined in issuing a statement by the leaders of the permanent members of the Security Council on preventing nuclear war and avoiding arms races a few weeks earlier, the Independent Expert stressed the utmost need to effectively eliminate all nuclear weapons and other weapons of mass destruction.

47. In relation to arms control and disarmament, the Independent Expert stated that it was essential, more than ever, that all the related treaties and bodies which had become static over the years, including the Disarmament Commission and the Conference on Disarmament, be revitalized and that related negotiations take place in good faith. He also recommended that all Member States ratify the Arms Trade Treaty without delay, in particular the top exporters and major importers of arms; make their financial contributions on time; meet their reporting obligation; and, most importantly, implement all the provisions of the Treaty. He further recommended the convening of regular United Nations peace conferences to review progress on arms control treaties and provide scope for intergovernmental agreements, among other possible features.

48. Concerning the reduction of military expenditure, after noting that in April 2022, for the first time, the world military expenditure had exceeded \$2 trillion, the Independent Expert reiterated the recommendations of his predecessor addressed to States to significantly reduce military spending and develop conversion strategies to reorient resources towards social services, the creation of employment in peaceful industries, and greater support to the post-2015 development agenda; individually and multilaterally devote savings released from reduced military spending to resourcing the economic and social transition required to respond to the global climate change challenge; and proactively inform their populations of military expenditures and encourage public participation in determining budgetary priorities. The Independent Expert also echoed a recommendation made in one submission received to convene a special session of the General Assembly on the topic of disarmament in 2023 or 2024 to make a global commitment to reduce military expenditure by 2 per cent per year.

Undertake structural reforms of some of the key United Nations bodies

49. The Independent Expert stated that addressing challenges to international peace and security also meant undertaking long-overdue reform of some key United Nations

bodies, with the conflict in Ukraine exposing weaknesses inherent in the mandate of some of these bodies. Such bodies include, first and foremost, the Security Council, as well as the General Assembly, the Peacebuilding Commission, the Peacebuilding Fund and the International Court of Justice.

50. To this end, he recommended that Member States reform the Security Council to make it more democratic, representative, effective, transparent and accountable and that they hold formal, structured consultations with external stakeholders, in particular civil society organizations; for permanent members of the Council, he recommended the use of the veto in accordance with the purposes and principles of the United Nations. He also recommended that Member States revitalize the General Assembly, improve coordination between the Presidents of the Security Council and the General Assembly, implement more consistently the Assembly resolutions while reducing their length and number, increase the visibility of the Assembly's work, hold thematic debates on critical topics with the participation of experts and national policymakers, and more generally engage on a systematic basis with non-State actors, including representatives of civil society, academia and the private sector; expand the role of the Peacebuilding Commission so as to address issues of security, climate change, health, gender equality, development and human rights; adequately fund the Peacebuilding Commission and the Peacebuilding Fund; and accept the compulsory jurisdiction of the International Court of Justice and withdraw reservations to treaty clauses relating to the exercise of its jurisdiction.

Ensure overall inclusive governance

51. The Independent Expert reiterated that, in order to address successfully the challenges facing international peace and security and all other global challenges, including the COVID-19 pandemic and climate change, it was vital that the views of people throughout the world be articulated and heard clearly in global affairs. He underlined the critical importance of mechanisms through which civil society could participate and contribute in a safe and meaningful manner, in line with the commitment expressed by Member States to renewed inclusive multilateralism, also advocated by the Secretary-General.

52. In this regard, the Independent Expert reiterated his full support for the We the Peoples campaign to make the United Nations more open, participatory and representative through the creation of a United Nations parliamentary assembly and a world citizen's initiative, as well as the appointment of a high-level United Nations civil society envoy.

E. Youth

53. For the last report under his tenure, in 2023, the Independent Expert decided to focus the report on youth, specifically in relation to youth participation and engagement in intergovernmental forums.

54. Young people constitute the largest population group on the planet, at 1.8 billion, close to 90 per cent of whom live in developing countries.⁵ For this reason, they are placed at the centre by countries' Governments and by international organizations, especially the United Nations, whose literature abounds with examples showing the importance of involving young people and their role in achieving the Sustainable Development Goals to address global challenges and issues of common interest.

⁵ United Nations, "Youth". Available at www.un.org/sustainabledevelopment/youth/.

55. In the report, the Independent Expert explores the significance for young people to be involved at the international level through international forums and conferences, in particular those under the auspices of the United Nations Secretariat and the specialized bodies and agencies of the United Nations system. In particular, youth engagement in intergovernmental forums takes place in the area of promoting international cooperation in advancing the Sustainable Development Goals, on leadership and global governance, and on climate change, but also public participation, whether in the civic space or in the political sphere, such as youth parliament at the regional level.

56. In the light of his analysis, based on a desk review and submissions received from various stakeholders, such as civil society organizations, academics and agencies of the United Nations system, the Independent Expert seeks to identify the types of opportunities that allow young people from different regions to be involved at the international level, some good practices taken from the examples of regional forums, such as the European Union, and other initiatives such as the African Youth Charter.

57. To promote youth participation and involvement in governmental forums, the United Nations has launched many programmes and initiatives, most recently the United Nations Youth Strategy, under the theme “Youth 2030”. It seeks to establish structures within its system to formalize and institutionalize youth promotion and affirm its commitment to strengthening the role of young people in facing challenges and participating in decision-making on issues of common interest at the international level. However, young people face many challenges that prevent effective participation, including high rates of poverty and unemployment, especially after the COVID-19 pandemic, in addition to weak civic participation and low levels of education and skills, among others.

58. In addition to the various initiatives and opportunities that were created to promote the participation of young people on the international scene, the Independent Expert drew his main reflections from the challenges and threats that young people are facing. The efforts of the United Nations to involve young people in its work and in facing national and global challenges require overcoming the difficulties and challenges faced by young people all over the world so that they can participate in influencing the international decision-making process that often determines their future.

59. These difficulties and challenges are evident in the limited, under- or inequitable representation of young people. According to the submissions received, despite several initiatives at the international level, a continued limited representation of young people, particularly from the global South, in those forums is unfortunately perceived. Lack of financial resources and restricted access to decision-making processes in their own countries are common.

60. In addition, youth participation in global governance remains a contested topic among several forums, mainly because of the age limitation and ageism in involving young people below 18 years old.

61. Furthermore, the misperception of youth grounded in age and gender stereotypes only accentuates the issue of youth representation, as it constitutes an obstacle that limits the efforts of youth peacebuilders and youth human rights activists. In some countries, unfortunately, young activists are often perceived as threats to national security, which justifies the need for further protections.

62. Moreover, political marginalization of young people who engage in alternative policy frameworks that are not in accordance with existing international institutions, which do not adequately recognize their political participation, can also be a major

obstacle for young people. As a direct consequence, this can lead to a lack of representation and risks silencing the voices of many young people across the globe. The Independent Expert finds it crucial for Member States and international organizations to actively engage and empower young people in decision-making processes to ensure that their perspectives are heard and valued.

63. Furthermore, the youth stage can also be perceived by the majority as a sensitive age stage, while considering its definition as the stage between dependence and maturity. The Independent Expert calls for a global understanding of the behaviours and specificities of young people in communication and participation while designing targeted policies, participation strategies and channels accordingly.

64. Weak participation in civil and political life is considered one of the most important obstacles that prevent young people from exercising their right to make decisions that affect their future and from reaching a level of interest in issues and challenges at the international level and many international platforms, programmes, forums and conferences. Such participation requires young people to have a high level of experience in humanitarian or development work, which means that young people have to enter the arena of political and civil life at the local level in many circumstances. However, the lack of regulatory engagement dedicated to monitoring youth involvement and participation, in addition to a certain loss of confidence in the effectiveness of these institutions in bringing about the desired change for the young population, can lead to disengagement with regard to civil and political rights issues.

65. The fact that young people are not fully independent and are mostly financially dependent, and economic constraints represented by high rates of poverty and unemployment⁶ among the youth population in different regions, prevent young people from engaging in or having access to opportunities to participate in global forums, which constitutes a disadvantage in terms of lost opportunities and potential.

66. The situation of precarity and extreme poverty, in particular for young people in the global South, is demonstrated even more by the digital divide and illiteracy in dealing with new technologies in the light of technological development, depriving many young people of knowledge and awareness of channels of interaction with their peers based in countries where young people are more privileged.

67. In the light of the different challenges, the Independent Expert formulated several recommendations directed to Member States and international organizations to further enhance their efforts to create more inclusive policies that guarantee the meaningful participation of young people in decision-making processes on the international scene.

68. In particular, these policies should encourage capacity-building and mentorship to equip young people with the skills, knowledge and networks necessary to effectively engage with relevant actors. It is particularly important that such training be made accessible for young people coming from diverse backgrounds and regions.

69. Linked to this recommendation is the importance of allocating sufficient resources to youth-led organizations from marginalized communities as they face multifaceted and intersectional challenges.

70. With the aim of providing long-term mechanisms for youth engagement through the fostering of long-term partnerships between international organizations, the private sector and Governments, States should prioritize the establishment of

⁶ International Labour Organization, *Global Employment Trends for Youth 2022: Investing in Transforming Futures for Young People* (Geneva, 2022).

platforms dedicated to young people to enable them to share their voices and concerns and work towards achieving the Sustainable Development Goals.

III. Conclusions

71. The Independent Expert is honoured to have discharged the mandate accorded to him by the General Assembly and the Human Rights Council. His tenure was marked by considerable global challenges which have endangered the realization of a democratic and equitable international order. At a time of significant turmoil, marked primarily by a continuously highly volatile international peace and security situation and a post-pandemic recovery and preparation for the next pandemic, the mandate of the Independent Expert is more relevant than ever.

72. The Independent Expert firmly believes in the cardinal value of multilateralism, and that an unwavering multilateral commitment is needed to overcome all global challenges. First and foremost are the quest for international peace and security, the issue of climate change, and the need for preparedness to face future pandemics, possibly of a greater magnitude, which will undoubtedly come in the not-so-distant future.

73. The Independent Expert deplores the geopolitical divide which has characterized the disengagement of some Member States from the mandate since its inception. States that declined to support the resolution establishing the mandate have consistently argued that it has exhausted its potential, that the issue of the promotion of a democratic and equitable international order has been dealt with comprehensively and that several matters are out of the scope of the Human Rights Council. The Independent Expert respectfully disagrees with such views. He believes that the thematic issues he has pursued during his tenure are absolutely relevant in the current context and are within the remit of the Council, directly or indirectly.

74. In fact, those States opposed to the mandate have been advocating in other forums for many of these issues, such as the importance of public participation in global affairs; the key role of civil society in promoting and protecting human rights, including in the context of pandemics and other global challenges; the valuable contributions of young people to the human rights and sustainable development agenda; and the need to fight corruption, to strengthen the global health architecture and to reform key United Nations bodies, in particular the Security Council, among others.

75. Such differences exemplify the deeply rooted geopolitical dimension surrounding this mandate, which is regrettable. While some States may disagree on some of the issues raised, it is the hope of the Independent Expert that Member States will eventually overcome such differences for the good of humankind.

76. The Independent Expert calls upon all Member States and other stakeholders to fully cooperate with the next mandate holder, to be appointed by the Human Rights Council in March 2024. He is convinced that this mandate can and should make a determinant and lasting contribution to the promotion and protection of human rights, should all stakeholders genuinely engage with it. He wishes his successor every success in this endeavour.