



General Assembly

Distr.: General
7 July 2021

Original: English

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda items 2 and 3

**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**

Biennial panel discussion of the Human Rights Council on the right to development

Report of the Office of the United Nations High Commissioner for Human Rights

Summary

The present report, submitted pursuant to Human Rights Council resolution 42/23 and Council decision 45/113, provides a summary of the biennial panel discussion on the right to development, held on 17 September 2020, during the forty-fifth session of the Council. The discussion focused on strengthening international cooperation and solidarity in the fight against the coronavirus disease (COVID-19) pandemic.



I. Introduction

1. In its resolution 42/23, the Human Rights Council decided to organize a biennial panel discussion on the right to development, starting at its forty-fifth session, with the participation of Member States, relevant United Nations bodies, agencies and other relevant stakeholders. The Council also requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a report on the panel discussion for submission to its forty-sixth session. The panel discussion was held on 17 September 2020. In its decision 45/113, the Council decided that the report would be submitted to its forty-eighth session.
2. The panel discussion focused on strengthening international cooperation and solidarity in the fight against the coronavirus disease (COVID-19) pandemic. It considered ways to operationalize the right to development, with a view to advancing global solidarity and shared responsibilities and strengthening international cooperation, unity and solidarity in response to COVID-19. The objectives of the discussion were to: (a) enhance understanding of the right to development, international cooperation and solidarity with a view to their realization, including through United Nations system-wide collaboration and collective action by all stakeholders; (b) consider ways to strengthen global solidarity and shared responsibilities, including through collaboration in identifying health and socioeconomic needs and the exchange of information, scientific knowledge and best practices; (c) discuss joint action by States, intergovernmental organizations, civil society, academia and other stakeholders, including through North-South, South-South and triangular cooperation, at the national, regional and global levels; (d) identify opportunities to advance global partnerships and means of implementation for sustainable development and its financing through integrated approaches and coherent and coordinated action at all levels; and (e) share good practices and success stories in operationalizing the right to development, international cooperation and solidarity, including through South-South cooperation, multi-stakeholder partnerships and other collaboration.¹
3. The panel discussion was chaired by Ambassador Socorro Flores Liera, who serves as a Vice-President of the Human Rights Council. The opening segment of the panel included the participation of the United Nations High Commissioner for Human Rights, Michelle Bachelet; the Minister for Foreign Affairs of Maldives, Abdulla Shahid; and the Director-General of the World Health Organization (WHO), Tedros Adhanom Ghebreyesus. The panellists included Ambassador Vaqif Sadiqov, Permanent Representative of Azerbaijan to the United Nations Office at Geneva and to other international organizations in Geneva, representing the Movement of Non-Aligned Countries; the Deputy Secretary-General of the United Nations Conference on Trade and Development (UNCTAD), Isabelle Durant; the Executive Director of the South Centre, Carlos Correa; and the representative of the Associazione Comunità Papa Giovanni XXIII to the United Nations at Geneva and Coordinator of the Working Group on the Right to Development of the Forum of Catholic-inspired Non-Governmental Organizations in Geneva, Maria Mercedes Rossi.
4. The open segment was followed by an interactive discussion involving representatives of States, international organizations and non-governmental organizations (NGOs). The panellists replied to the questions and comments raised from the floor and made concluding remarks.
5. The panel, which was recorded and posted as a webcast, was accessible to persons with disabilities.²

¹ Concept note available at:

<https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/45session/Pages/Panel-discussions.aspx>.

² See <https://media.un.org/en/asset/k11/k11f2kcjm7>.

II. Opening of the panel discussion

6. In her opening statement,³ the United Nations High Commissioner for Human Rights noted that at the heart of every story and every statistic there is a human being with inalienable rights, including the right to participate in, contribute to and benefit from development. The COVID-19 pandemic has exposed global social injustices, exacerbating intersecting and deeply rooted inequalities within countries and asymmetries among them. Poorer nations face collapsing trade, falling remittances, capital flight and currency depreciation, while debt burdens deny many low- and middle-income countries “breathing space”, thus undermining their ability to respond to the pandemic and reducing their fiscal space to deliver on economic and social rights, including rights to food and water, health and education. The High Commissioner called for closing gaps in health and social protection systems by building resilience to future crises, stressing the importance of universal participation in tackling inequalities, institutional weaknesses and structural human rights violations, including environmental degradation and the climate emergency.

7. In the Declaration on the Right to Development (1986), development was proclaimed as a right for all individuals and peoples, including their active, free and meaningful participation in its process and in the fair distribution of its benefits. Development should be carried out locally and globally for present and future generations. Fighting the pandemic requires renewed multilateralism, political will and strong leadership at all levels, and also demands bold policies and financial and technical support to countries and communities in need, including through urgent debt relief. The High Commissioner affirmed that everyone must benefit from response and recovery efforts, including from scientific and technological progress. A vaccine against COVID-19 must be a global public good. She called on the international community to agree on measures to enable poor and vulnerable countries to mobilize resources to fulfil the basic needs of their people.

8. The Minister for Foreign Affairs of Maldives, Abdulla Shahid, said that the rapid and sustained development over the previous few decades had enabled Maldives to join the ranks of upper-middle-income countries. While its development success was noteworthy, the country also faced numerous challenges. When COVID-19 reached Maldives, the Government mobilized a national response by declaring a state-of-health emergency. The difficult decision to close the borders for over three months brought the tourism industry to a halt. As tourism accounts for two-thirds of the gross domestic product (GDP) of Maldives, this decision affected the livelihoods of thousands of people. However, the Government was committed to the promotion and protection of all rights, including the right to development.

9. Mr. Shahid stated that it was time to rethink development models to ensure that meeting the needs of the most vulnerable becomes the common yardstick for measuring success in building back better. As the plan for post-pandemic recovery is being developed, it is vital to work together to embark on a global effort to identify new and innovative ways to meet the challenges of debt relief, promote investment and unleash the creative potential of economies around the world.

10. The COVID-19 pandemic should stand as a reminder of human vulnerability. In this regard, the Minister invited the international community to come together to rebuild a common future, confident that the human spirit will always triumph over adversity. He concluded by stating that together it is possible to overcome and build a better and more resilient world for all.

11. The Director-General of WHO noted that the pandemic has disproportionately affected vulnerable population groups, such as racial and ethnic minorities, older people and low-income families. It has also had profound social and economic impacts, including on unemployment, gender-based violence and gender inequalities. Stay-at-home orders and other restrictions have affected access to essential health services and exacerbated pre-existing inequalities and social exclusion in already marginalized communities. The COVID-19 pandemic has served as a powerful demonstration that health is not only an outcome of

³ The text of the statement is available from:
www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26254.

development but a prerequisite and a foundation of social, economic and political stability. He stressed that health is not a luxury item for those who can afford it, but a human right.

12. The Director-General noted that the common global threat of COVID-19 demands a common response. WHO has collaborated with entities of the entire United Nations system, Member States and civil society to place human rights at the centre of the 2030 Agenda for Sustainable Development and the COVID-19 response and recovery efforts. Sickness and death, especially among the most disadvantaged people, can be minimized by adopting a human rights-based approach to dealing with COVID-19. Such an approach would also contribute to resilience and preparedness for future disease outbreaks and other health and economic shocks. In the creation of the Access to the COVID-19 Tools (ACT) Accelerator, WHO has worked with partners around the globe to ensure equitable access to vaccines, diagnostics and therapeutics to treat the disease.

III. Panel discussion

A. Contributions of panellists

13. Mr. Sadiqov, speaking on behalf of the Movement of Non-Aligned Countries, acknowledged that the realization of the right to development was currently even more important, with States around the globe fighting against the unprecedented effects of the COVID-19 pandemic, which has created a huge burden on their health systems, societies and economies. The pandemic has revealed the importance of international cooperation to mitigate the impact of this health calamity.

14. In the final document of the eighteenth Summit of Heads of State and Government of the Movement of Non-Aligned Countries, held in Baku on 25 and 26 October 2019, Heads of State and Government agreed to promote and protect all universally recognized human rights, and in particular the right to development as a universal and inalienable right and as an integral part of all universally recognized human rights and fundamental freedoms.⁴ They urged the United Nations human rights machinery to ensure the operationalization of the right to development as a priority, including through the elaboration of a convention on the right to development.

15. In Geneva, on 12 February 2020, at the open-ended discussion on the right to development chaired by the Permanent Representative of Azerbaijan to the United Nations Office at Geneva,⁵ participants stressed the importance and potential of constructive engagement by different stakeholders in achieving the realization of the right to development. Participants also called for the constructive engagement of all stakeholders at the twenty-first session of the Working Group on the Right to Development in May 2020,⁶ at which the Group was scheduled to embark on the elaboration of a legally binding instrument on the right to development.⁷

16. On 4 May 2020, the Contact Group of the Movement of Non-Aligned Countries, at an online summit meeting chaired by the President of Azerbaijan, established a task force for the development of a database of the humanitarian and medical needs of the member States in the context of the COVID-19 pandemic, to be presented to donor countries and international organizations. Azerbaijan, in its capacity as a Chair of the Movement, donated \$10 million to WHO to provide support to the most affected member countries of the Movement. With the backing of more than 140 member States, the Movement also supported the adoption of General Assembly 75/4 convening the special session of the General Assembly in response to the COVID-19 pandemic.

17. Mr. Sadiqov expressed the concern of the member States of the Movement about the global threat posed by COVID-19. Control of the pandemic relied upon proper preparedness,

⁴ See www.namazerbaijan.org/pdf/BFOD.pdf, paras. 144 and 977.1.

⁵ See www.namazerbaijan.org/news/25.

⁶ See www.ohchr.org/EN/Issues/Development/Pages/21stSession.aspx.

⁷ The twenty-first session of the Working Group on the Right to Development was held from 17–21 May 2021.

prevention and resilience-building and on greater national, regional and international collaboration, including actions to address the challenge in an effective and timely manner. Equitable access, fair distribution and affordability of diagnostics, therapeutics and vaccines for COVID-19 were important priorities for developing countries and for the least developed countries. In addition, the negative effects of the unilateral coercive measures imposed had exacerbated difficulties resulting from the pandemic, hindering the well-being of people in affected countries and creating obstacles to the full realization of their human rights, including the right to development. In the light of such circumstances, Mr. Sadiqov stressed the importance of securing safe access to medicines to counter COVID-19 for everyone in all countries.

18. The Deputy Secretary-General of UNCTAD, Isabelle Durant, considered the COVID-19 pandemic to be a reminder of our common vulnerability, as individuals, as States and as a global community. The virus spread with terrible speed among all economic and social classes, but affected each of those groups differently, putting in danger both the individual and collective right to development. From the beginning of the pandemic, UNCTAD has mobilized to analyse the situation, to support and cooperate on actions to fight the pandemic and to provide particularly affected developing countries with mechanisms and recommendations to address the ongoing situation.

19. The COVID-19 pandemic created a “perfect economic storm”, including simultaneous and mutually reinforcing shocks in areas of supply, demand and finances. As a result, it is estimated that the global economy contracted by 4 per cent to 5 per cent in 2020. Growth in the development field, given the enormous impact of the pandemic on economic growth, has not flourished. Ms. Durant highlighted the catastrophic increase in poverty rates and drew attention to the report and recommendations contained in the report of the Special Rapporteur on extreme poverty and human rights, Olivier De Schutter.⁸ Reporting by the International Labour Organization (ILO) estimated that the pandemic would result in the loss of 400 million full-time jobs.⁹ The United Nations Development Programme (UNDP) indicated that the Human Development Index would decrease for the first time since 1990.¹⁰

20. It has been widely reported that women have been more affected by the COVID-19 pandemic than men. Women, who work more frequently in the informal and health sectors, are exposed to higher risks of job loss and are less likely to benefit from social protections. During the imposition of lockdown measures, they were also more affected by the increased burden of childcare and home schooling. Moreover, in general, women entrepreneurs were less likely to obtain access credit to restart or to ensure the survival of their businesses.

21. Ms. Durant considered that the fight against COVID-19 could only be won through international solidarity and cooperation. She drew attention to three issues of importance to successfully fight the pandemic. First, trade, which was simultaneously a problem and part of the solution. During the first months of the COVID-19 pandemic it became clear how deeply the interruption of Chinese production had affected the global supply chain. When vessels stop circulating, international trade comes to a halt. Countries relying on tourism and exports and those affected by climate change were the most impacted by the interruption in supply. This experience underscored the necessity of multilateral solutions. Second, science, technology and innovation, which have always been engines for development, are also contributing factors of inequality. While intellectual property rights to vaccines should be balanced to ensure the remuneration of innovators, developing countries should be allowed to become producers and beneficiaries of scientific and technological efforts and networks. Third, financing for the COVID-19 response. UNCTAD has estimated that developing countries will suffer from a deficit of between \$2 to \$3 trillion in the coming two years as a result of a decrease in official development assistance (ODA), foreign direct investment and remittances, indicating an abysmal deficit in financing. In this regard, the decisions of the international community, including the decision by the International Monetary Fund (IMF) and the Group of 20 (G20) countries to suspend temporarily the payment of debts of a limited number of vulnerable countries, were critical. While these decisions were important, they

⁸ www.ohchr.org/Documents/Issues/Poverty/covid19.pdf.

⁹ www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/briefingnote/wcms_749399.pdf.

¹⁰ http://hdr.undp.org/sites/default/files/covid-19_and_human_development_0.pdf.

need to be complemented by other measures to address the challenges facing developing countries and the least developed countries.

22. The Executive Director of the South Centre, Carlos Correa, affirmed that realizing the right to development requires a holistic approach to address, *inter alia*, the poverty and inequality that characterize countries where there is a lack of development. As stated in the Declaration on the Right to Development, States have the responsibility for the creation of national and international conditions favourable to the realization of the right to development. The Declaration also recognized, in its preamble, “that the human person is the central subject of the development process”.

23. The health and economic crisis created by the COVID-19 pandemic has exacerbated and highlighted extremely disturbing trends regarding the realization of the right to development. The first trend concerned actions aimed at undermining WHO. Mr. Correa stressed that the role of WHO as a global organization in the field of health should, on the contrary, be strengthened. Governments should provide it with more capacity to act as well as with adequate funding. The second trend was the return to isolationist policies, including “vaccine nationalism”. Such policies ignored the need for a global solution to the pandemic, based on cooperation and solidarity. Such nationalistic approaches were also evident in the policies of certain developed countries, which were aimed at ensuring autonomy in the production and supply of medicines and vaccines while ignoring problems of access to the supply of such products beyond their frontiers. This nationalism was also expressed through the advance or pre-purchase of vaccines by developed countries, which deprived developing countries from securing early access to medications for the prevention of the disease. The third trend consisted of the persistence of unilateral coercive measures which were manifestly against international law. Furthermore, such measures were also ethically unacceptable, especially at time of heightened vulnerability and great suffering among the populations of affected countries. The fourth trend was the continued pressure on the part of some governments in support of large transnational pharmaceutical companies, advocated in the World Trade Organization (WTO) Council for Trade-Related Aspects of Intellectual Property Rights and in other forums, in favour of the monopolization over technologies for medicines and vaccines through patents and other intellectual property rights. As proposed by the Secretary-General, technologies should rather be considered as global public goods.

24. Mr. Correa welcomed the continuation of the work of the Human Rights Council on the right to development and the possibility of negotiating a legally binding instrument on the right as signs of encouraging progress. He was also gratified by the continued negotiations on a legally binding instrument on transnational corporations and other business enterprises with respect to human rights and expressed his hope for a constructive engagement through all of the above processes. The right to development offered a platform for the realization of human rights on a global scale. Its implementation faced old problems and new challenges, requiring strong and concerted action on the part of countries that believe in and practise international cooperation and solidarity.

25. Maria Mercedes Rossi, the representative of the Associazione Comunità Papa Giovanni XXIII to the United Nations at Geneva and Coordinator of the Working Group on the Right to Development of the Forum of Catholic-inspired Non-Governmental Organizations in Geneva, noted that the COVID-19 pandemic had turned the world upside down and exposed the social contradictions shaped by neoliberalism and a distorted model of globalization. She stated that the repeated leitmotiv, “We are all in the same boat”, was not true; a better metaphor would be that “We are in the same storm but travelling on different boats”. The capacity to manage emergencies and to have the resilience to overcome them had proven to be linked to factors beyond the control or choice of the individual, including: place of birth; family income; access to safe dwellings and caring neighbourhoods; levels of local pollution; preparedness of public health systems and access to such systems; and the integrity of leaders and their interest in the common good. During the ongoing pandemic, structural inequalities have shown to be decisive in determining the very different outcomes that are evident across societies and countries.

26. Ms. Rossi quoted Pope Francis who affirmed that “[t]he pandemic has exposed and aggravated social problems, above all that of inequality ... These symptoms of inequality

reveal a social illness; it is a virus that comes from a sick economy”.¹¹ The most vulnerable members of society have borne the brunt of the humanitarian, economic and social consequences of the catastrophic pandemic. While humanity waited for a vaccine that could combat the pandemic, the international community could have committed itself to the adoption of a “vaccine” that aimed, culturally, politically, legally and economically, to prevent global threats by removing the root causes of inequalities and vulnerabilities: such a “vaccine” would consist of making the right to development legally binding and recognizing international solidarity as a right.

27. Ms. Rossi stressed that the human family needed the antibodies of international solidarity more than ever. For this reason, Associazione Comunità Papa Giovanni XXIII and other NGOs supported the draft declaration on the right to international solidarity¹² and strongly advocated the adoption of a convention on the right to development. Both instruments would be crucial to addressing global challenges and realizing human rights and fundamental freedoms for all people.

28. There was a need to rethink the prevailing economic and political paradigms and to forge new economic models that were sustainable, people-centred and inclusive. Ensuring the well-being of people in the international community by respecting the environmental boundaries of the planet should be a common aim of future projects and narratives in all fields. She rereferred to the encyclical letter of Pope Frances, “*Laudato Si*”, according to which the cry of the poor and the cry of the earth should, at last, be heard and an integral ecology realized. To achieve that end, urgent action was immediately needed, including debt cancellation, the ending of unilateral coercive measures and actions to counter the effects of tax havens and corruption. There was also an urgent need to respect the commitments of the Paris Agreement on climate change, to carry out meaningful reforms in global governance, to reduce military expenditures and to redirect resources towards social protection, the strengthening of health systems and the achievement of the Sustainable Development Goals. Moreover, developed countries should deliver on their commitments to release 0.7 per cent of their gross national income (GNI) as ODA to developing countries, and should even increase that amount to strengthen responses to the COVID-19 crisis.

29. Ms. Rossi concluded with a story of a child patient in Zambia. She had been a missionary doctor for 20 years and cared for many patients, especially people infected by HIV/AIDS. When antiretroviral treatments were not yet available, she had a patient, an 8-year-old boy, whose parents died of AIDS. In the last stages of the HIV infection, the boy contracted an opportunistic disease and was admitted to a children’s hospital. On one of her visits to the child, she asked if he wanted her to bring some fruit or soft drinks in her next visit. He looked at her with big eyes and an exhausted face and replied: “Dr. Mara, bring me the medicines!”. The poor of the world, like him, do not need charity but justice. They do not need empty words either. They needed immediate action. We are all in this together.

B. Interactive discussion

30. Representatives of the following Member States took the floor during the interactive discussion: Afghanistan, the Bahamas, Burkina Faso (on behalf of the Group of African States), Cabo Verde (on behalf of the Community of Portuguese Language Countries), China, Cuba, Ethiopia, India, Indonesia, the Lao People’s Democratic Republic, Libya, Maldives (on behalf of the following small island developing States: the Bahamas, Fiji, Guyana, Haiti, Jamaica, Maldives, Nauru, Singapore and Vanuatu), Mauritania, Morocco, Qatar, the Russian Federation, Saudi Arabia, Sierra Leone, Timor-Leste, Togo, the United Arab Emirates (on behalf of the Gulf Cooperation Council) and Viet Nam (one statement on behalf of the Association of Southeast Asian Nations and one in its national capacity). Representatives of the European Union also took the floor.

31. Representatives of the following NGOs took the floor: Chinese Association for International Understanding; International Human Rights Association of American

¹¹ www.vatican.va/content/francesco/en/audiences/2020/documents/papa-francesco_20200826_udienza-generale.html.

¹² www.ohchr.org/Documents/Issues/Solidarity/DraftDeclarationRightInternationalSolidarity.pdf.

Minorities; International Youth and Student Movement for the United Nations; iuventum e.V.; Rencontre Africaine pour la défense des droits de l'homme; and Sikh Human Rights Group. The following States were unable to make statements owing to lack of time: Armenia, Bahrain, Botswana, Chile, Ecuador, Egypt, El Salvador, Germany, Haiti, Iran (Islamic Republic of), Kazakhstan, Myanmar, Nepal, Pakistan, Senegal, South Africa, the Syrian Arab Republic, Tunisia and Venezuela (Bolivarian Republic of). The following agencies and organizations were unable to make statements owing to lack of time: UNDP; Aid Organization; Apprentissage Sans Frontières; Centre for Organizational Research and Education; Geneva Centre for Human Rights Advancement and Global Dialogue; Global Institute for Water, Environment and Health; Health and Environment Program; Institut international de l'écologie industrielle et de l'économie verte; Institut international pour les droits et le développement; Lawyers' Rights Watch Canada; and Organisation internationale pour les pays les moins avancés.¹³

32. Some delegations recalled that it was 35 years since the Declaration on the Right to Development made development an inalienable human right. Delegations and speakers referenced other international instruments that recognize the right to development, including the Vienna Declaration and Programme of Action; the 2030 Agenda for Sustainable Development; and the SIDS (Small Island Developing States) Accelerated Modalities of Action (SAMOA) Pathway. The right to development is described as inseparable from all other human rights, which are to be enjoyed by everyone everywhere. Participants stressed the relation between the right to development and inclusive growth and the imperative to "Leave no one behind". Most delegations and civil society organizations (CSOs) emphasized the importance of nurturing international cooperation, including South-South, triangular and regional cooperation, solidarity, unity and multilateralism, in realizing the right to development. Some participants noted the close links between development, peace and human rights. One delegation expressed its view that without the right to development poverty could not be eradicated.

33. Many speakers considered that the right to development, international cooperation and solidarity were particularly important to mitigate the effects of the COVID-19 pandemic. The immense challenges imposed by the pandemic further aggravated pre-existing socioeconomic, political and environmental crises. Speakers noted that the pandemic had reversed gains achieved in implementing the Sustainable Development Goals. For some delegates, such challenges required international cooperation and unified strategies to ensure sustainable development and to prevent economic damages. One delegation made note of the call of the Secretary-General upon the global community regarding the need to tackle the inequality pandemic and for a new social contract for a new era.¹⁴

34. Participants discussed how the pandemic had disproportionately impacted small island developing States, the least developed countries, countries affected by conflicts and peoples under colonial domination and foreign occupation, and described how the livelihoods of communities and national economies that depend on tourism had been negatively affected. Speakers also noted the disproportionate effect of the pandemic within countries on poor, marginalized and indigenous communities.

35. Some speakers condemned unilateral coercive measures, including blockades on countries, as obstacles to overcoming the many challenges imposed by the pandemic. One delegation stressed that humanitarian exemptions to these measures do not work, nor do they prevent the adverse human rights impacts of these sanctions. One CSO lamented the cut in ODA by donor countries at the very time when such assistance was most needed. The foreign debt of many developing countries, structural adjustments, austerity measures, profit hunger on the part of corporations and market forces were mentioned as constraints to the policy space necessary for governments to adopt economic stimulus policies to promote a better

¹³ Statements shared with the secretariat are available at: <https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/45session/Pages/Statements.aspx?SessionId=37&MeetingDate=17/09/2020>.

¹⁴ www.un.org/sg/en/content/sg/statement/2020-07-18/secretary-generals-nelson-mandela-lecture-%E2%80%9Ctackling-the-inequality-pandemic-new-social-contract-for-new-era%E2%80%9D-delivered.

recovery from the COVID-19 pandemic and to ensure the promotion and protection of human rights. Delegations also mentioned that the effects of climate change had imposed additional constraints in the capacity of countries to recover. Participants also mentioned racism and xenophobia as obstacles to the recovery from the pandemic.

36. Delegations and other participants shared good practices and contributions to the realization of the right to development during the period of the COVID-19 pandemic. Many delegations described their international cooperation initiatives. Some initiatives related to support to international organizations, including the United Nations Children's Fund (UNICEF), the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees (UNHCR), UNDP and, especially, WHO. Speakers emphasized the central role played by the United Nations and WHO in fighting COVID-19. Some delegations mentioned their participation in the group of solidarity for health security and the group of friends of the COVID-19 Vaccine Global Access (COVAX) Facility. Others mentioned specific measures of support to other countries, including by sending medical teams, the donation of vaccines or medical supplies and the provision of other measures to support health care, water and sanitation, social welfare, eradication of extreme poverty, gender equality, productive capacity, non-fossil fuel power and clean development activities, as well as humanitarian assistance in natural or human-made disasters. One delegation emphasized that its engagement in international cooperation, including South-South cooperation, was premised on mutual benefits and mutual prosperity as national development priorities. At the national level, good practices shared by delegations included measures for the improvement of living conditions, the promotion of access to information for migrants, the strengthening of the coordination of different governmental organizations and NGOs, the establishment of rapid-action preventive protocols and the re-prioritizing of resources to promote high-performance projects. One speaker mentioned initiatives on the distribution of food packages by faith-based CSOs and grass-roots movements.

37. Delegates and other participants presented recommendations to Member States, the Human Rights Council, OHCHR and the international community. Some participants called for reinforcing the regular budget of the United Nations, which could contribute to a balanced allocation of resources. Delegations proposed increased collaboration with UNCTAD, including on matters related to intellectual property rights, food and agriculture. Other participants argued that the implementation of the right to development would require global, regional and national reforms. Work in those areas should also adopt a human rights-based approach. Delegations and CSOs argued for the removal of obstacles to the enjoyment of the right to development through the suspension of sanctions and debt relief. Speakers recommended the promotion of public campaigns and the dissemination of information about the importance of the right to development and to economic, social and cultural rights. Delegations recommended that development cooperation should respect the ownership of recipient countries and peoples in establishing their development priorities without affecting State sovereignty.

38. A group of States recommended an exchange of good practices on the implementation of the 2030 Agenda. One speaker called on the United Nations and Member States to promote the active participation of CSOs, allowing them room to express innovative ideas for promoting development as a right. Other speakers recommended increased interpersonal communications, through direct cooperation and the exchange of good practices. Speakers also discussed the importance of technology transfer and technological sovereignty and the promotion of productive capacities. Some speakers asked developed countries to increase ODA to meet and exceed the target of 0.7 per cent of GNI for ODA to developing countries. Participants also recommend the reduction of world carbon emissions. Some delegations and civil society representatives defended the adoption of a legally binding instrument on the right to development. One CSO invited all multilateral and bilateral partners to support the implementation of the African Continental Free Trade Agreement, believing that the treaty could contribute to the enjoyment of the right to development and other human rights.

39. In addition to general proposals, participants made recommendations specific to the context of the pandemic. One delegation proposed an inventory of the demands of developing countries to address the challenges posed by COVID-19 that would be elaborated through a participatory process and a bottom-up approach. The delegation also proposed an open-

source sharing of solutions. Speakers recommended joint efforts at all levels, involving local governments, civil society and businesses, to reverse the increased vulnerability and inequality caused by the pandemic. Contributions from participants included calls for equitable distribution of vaccines, anti-viral medicines and ventilators, which should be affordable and accessible to all. Speakers also agreed with panellists that the vaccines for COVID-19 should be global public goods. A group of States emphasized the importance of applying only necessary and proportional restrictions on human rights during the pandemic crises. Participants spoke in favour of increased support to the universal health care initiative by WHO. Participants also reminded all stakeholders of the importance of protecting the rights of women, children, persons with disabilities, elders, migrants and other vulnerable groups during the pandemic. Others expressed concerns about the incitement of racial discrimination and xenophobia by authorities and called for an immediate stop to such practices and for redress to victims.

40. Participants posed questions to panellists, including on: how to ensure that the right to development is treated as a holistic concept that is universally applicable; what were the key areas for which countries needed international support to overcome the current crisis; what is the role of the Human Rights Council in achieving the Sustainable Development Goals and how can international partnerships be enhanced to deal with the impacts of the pandemic; what were the impacts of COVID-19 on the enjoyment of the right to development; which areas of human rights should be prioritized during the pandemic; what are some of the best practices on international cooperation and the operationalization of the right to development during the COVID-19 pandemic; how could high-income small island developing States with high vulnerability have access to development financing; and what innovative solutions could be suggested for effectively tracking the target of 0.7 per cent of GNI of developed countries as ODA to developing countries.

IV. Concluding remarks by panellists

41. Mr. Sadiqov noted that international cooperation lies at the heart of the implementation of the right to development. History shows that international cooperation is continuously reassessed, for example, the creation and closing of the League of Nations, the creation of the United Nations and the rise and fall of the Iron Curtain in Europe during the cold war. International cooperation is essential for the implementation of concepts such as the right to development. Cynical observers may argue the need for a Third World War to redefine and realign the concept of international cooperation. Mr. Sadiqov underlined that the COVID-19 pandemic was in itself the equivalent to war. It was time to focus attention on international cooperation in its real sense, beyond papers, slogans and resolutions, through concrete actions.

42. Ms. Durant pointed out that actors working on the economy and on the allocation of resources for development and those working for human rights and the right to development could meet more often. Better coordination with more frequent gatherings on common topics between these actors would contribute to this multilateral effort. She noted that the digital sector had made important contributions to the enjoyment of the right to development, especially during the pandemic. However, the benefits of the digital economy were extremely unequal. Inequalities were enormous between the hyperconnected and the under-connected, both for individuals and for countries. While some transnational digital platforms made billions of profits, resources were lacking for those in most need. It was essential to make the digital sector one of the main tools for development and for addressing the digital gap. The pandemic had made it evident that countries need to change the way they produce, consume and trade in order not to return to previous models: the building of a better, more equitable and just model is required. Climate stability and preventing increased global warming beyond two degrees Celsius should not only be a goal but should also be part of the human right to development. The COVID-19 pandemic has served to demonstrate the worsening of all forms of inequality in all domains.

43. Mr. Correa noted that, notwithstanding the progress made in several areas, for example, through the support provided by the COVAX Facility, there was still no guarantee that people in developing countries would have equitable and timely access to treatments and

vaccines. He called for increased measures, beyond words and slogans, to ensure collective and concrete actions for making this access a reality. Developed countries and private companies that held patents had provided very little support for the initiative of Costa Rica to create a voluntary pool of new technologies to fight COVID-19 or for other related technology-sharing initiatives. In response to questions on the role of the Human Rights Council and the specific role of the right to development, Mr. Correa called for overcoming the fragmentation of international law and the international system. The Charter of the United Nations and the Declaration on the Right to Development should be considered fundamental frameworks during the negotiations on reform of WTO. Proposals for revising the system of special and differential treatment or for undermining the multilateral character of the organization were incompatible with the realization of the right to development in developing countries. Proposals on the reform of WHO should also be congruent with the Charter and the right to development. Decisions by the WTO dispute settlement system and by investment arbitral tribunals should consider human rights concerns; this is not currently the case in all such decisions. The potential of South-South cooperation, a crucial tool for recovery from the pandemic, should be fully explored. Countries should enhance their capacities to participate as providers or recipients of South-South cooperation.

44. Ms. Rossi referred to a study by John Hopkins University in 118 low- and middle-income countries. The study, carried out in 2020, estimated that an additional 1.2 million deaths among children under age 5 could take place within a space of just six months due to reductions in routine health service coverage levels and an increase in child wasting.¹⁵ The Declaration on the Right to Development contains a comprehensive concept of development, encompassing economic, social, cultural and political development, although not spiritual development. The adoption of a legally binding instrument could enrich the definition of development by introducing the concept of sustainability thinking for future generations. Ms. Rossi argued in favour of rejecting the current concept of development, which is tied to economic growth, as a false myth, as already demonstrated by the World Bank and IMF. She stated that it was time to disengage discussions on the right to development from the trap of politicization and polarization that has characterized such talks over the past 30 years and to see the right as an important tool for the implementation of all human rights through constructive dialogue. She recommended that OHCHR put in practice a communications strategy for reaching people at the grass-roots level as the Declaration was not well known around the world. Ms. Rossi also referred to the report of the Independent Expert on human rights and international solidarity,¹⁶ which described three characteristics of international solidarity: reactive, preventive and international cooperation. She recommended that preventive solidarity, which tackles the root causes of injustice, be the course pursued. Ms. Rossi concluded by quoting Michelangelo: “I saw the angel in the marble and carved until I set him free”. The right to development and international solidarity were angels that should be set free since they will contribute greatly to social justice. She urged all parties to carve them together, and quickly.

¹⁵ www.thelancet.com/action/showPdf?pii=S2214-109X%2820%2930229-1.

¹⁶ A/HRC/47/31, para. 6.