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

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

Right to development

Report of the Secretary-General and the United Nations High Commissioner

Summary

The present report contains an analysis of the efforts undertaken for and the challenges to the realization of the right to development in the context of the response to and the recovery from the coronavirus disease (COVID-19) pandemic. The report also contains an overview of the activities of the Office of the United Nations High Commissioner for Human Rights on the promotion and realization of the right to development.



I. Introduction

1. The present consolidated report of the Secretary-General and the High Commissioner for Human Rights is submitted pursuant to Human Rights Council resolution 48/10 and General Assembly resolution 76/163. It focuses on the efforts undertaken for and the challenges to the realization of the right to development in the context of the response to and the recovery from the coronavirus disease (COVID-19) pandemic.
2. The COVID-19 pandemic has continued to have profound impacts on the enjoyment of all human rights including the right to development, exposing and exacerbating pre-existing and systematic inequalities within and between countries.¹ The health crisis and the resulting social and economic crises have reversed gains in well-being and human development and shone a light on the structural consequences of decades of underfunded or dismantled public services and policies related to economic and social rights. The roll-out, access and availability of COVID-19 vaccines have further revealed and exacerbated stark inequalities within and between countries.²
3. The world faces a great challenge and an opportunity to change course, learn the lessons from the ongoing COVID-19 crisis and promote a just, green and sustainable recovery through increased and effective international cooperation.
4. The present report considers how the application of the right to development, its principles and norms, as defined in the Declaration on the Right to Development, would have contributed to preventing and/or easing various impacts of the COVID-19 pandemic and guiding the global response to and the recovery from the pandemic. It considers the global challenges to the realization of the right to development and the efforts undertaken at the national, regional and international levels to overcome them in the context of the response to and the recovery from the COVID-19 pandemic. The report focuses on three areas: the international financial system, the vaccine roll-out and business model, and the green recovery. It addresses the international dimension of the responsibility of States to respect, protect and fulfil the right to development including through global and regional partnerships.³ The report also contains information on the activities of the Office of the United Nations High Commissioner for Human Rights (OHCHR) from June 2021 to May 2022 that have direct relevance for the realization of the right to development in the context of the COVID-19 pandemic, including inter-agency coordination within the United Nations system.⁴ The report concludes with recommendations.

II. Analysis of the implementation of the right to development and existing challenges in the context of the COVID-19 pandemic

5. The year 2021 marked the thirty-fifth anniversary of the Declaration on the Right to Development. Through the Declaration, Member States defined development as a comprehensive economic, social, cultural and political process that aims to constantly improve the well-being of all peoples and individuals based on their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom. The right to development requires national and international development policies that support an enabling environment in which all human rights and fundamental freedoms can be fully realized. The implementation of the Declaration on the Right to Development implies effective international solidarity and cooperation in providing countries with appropriate means to foster their comprehensive development and overcome the obstacles to achieving it. It also entails fair distribution of the benefits of development, including wealth

¹ [A/HRC/48/26](#), paras. 38–76.

² See [A/HRC/49/35](#).

³ See [A/HRC/15/WG.2/TF/2/Add.2](#), annex.

⁴ The present report complements the previous report of the Secretary-General and the High Commissioner on the right to development ([A/HRC/48/26](#)). For more information see <https://www.ohchr.org/en/development>.

and income, and equal opportunity in access to basic resources and services; the sharing of technological and scientific innovation; and financial support for development. The Declaration also calls for disarmament and for resources released by effective disarmament measures to be used for comprehensive development, in particular that of the developing countries.

6. The above-mentioned principles and norms of the right to development are built on the vision in the Charter of the United Nations and the Universal Declaration of Human Rights, promising freedom from fear and want and declaring that everyone without discrimination is entitled to a social and international order in which all human rights and fundamental freedoms can be fully realized. Member States have repeatedly confirmed their commitment to the principles through numerous international instruments and policy documents, including the Vienna Declaration and Programme of Action, the Rio Declaration on Environment and Development, the 2030 Sustainable Development Agenda, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, the Paris Agreement on Climate Change and the Sendai Framework for Disaster Risk Reduction 2015–2030. Several principles of the right to development are embodied in international human rights conventions, form part of customary international law and general principles of international law, or are elaborated in other international instruments and general comments of the treaty bodies.⁵

7. In recent years, the Secretary-General and the High Commissioner have made recommendations on how to overcome existing challenges to the realization of the right to development.⁶ In many of those recommendations they have called on States to strengthen public systems, including health systems, and build social resilience, including through international solidarity and cooperation.⁷ The pandemic revealed that States could have better confronted the challenges posed by COVID-19 had they advanced further in meeting their commitments in a manner consistent with the principles enshrined in the Declaration on the Right to Development. That would have resulted in stronger health systems, fewer people living in extreme poverty, less gender inequality, a healthier natural environment and more resilient societies.⁸

A. International financial system

8. The COVID-19 pandemic has dramatically reversed progress on sustainable development, exposing and exacerbating inequalities within and between countries, undermining their fiscal space and their capacity to mobilize resources to realize the right to development, as well as economic, social, cultural, civil and political rights. The global health, human rights and socioeconomic crisis affected everyone, but particularly women, children, persons with disabilities, indigenous peoples, migrants, persons living in poverty and other marginalized groups. Developing countries, particularly the least developed countries, were severely affected by the adverse socioeconomic impacts of COVID-19 owing to the fragility of their health and social protection systems, limited financial resources and vulnerability to external shocks.⁹ Those impacts have been compounded by the current food and energy crisis. Small island developing States suffered price shocks and loss of exports, investment and remittances, along with a rapid plummet in tourism.¹⁰ That added to the long-term adverse effects on the full enjoyment of human rights caused by climate change-related sudden-onset natural disasters and slow-onset events. The number of extremely poor people is expected to increase by up to 224 million globally. Around 114 million jobs have been

⁵ See https://www.ohchr.org/Documents/Publications/FSheet37_RtD_EN.pdf, pp. 5–8.

⁶ See, [A/HRC/36/23](#), paras. 48–62; [A/HRC/39/18](#), paras. 62–63; [A/HRC/42/29](#), paras. 65–68; [A/HRC/45/21](#), paras. 63–71; and [A/HRC/48/26](#), paras. 77–86.

⁷ See, for example, [A/HRC/36/23](#), para. 55; [A/HRC/45/21](#), paras. 63–64 and 70; and [A/HRC/48/26](#), paras. 78–81.

⁸ “Shared responsibility, global solidarity. Responding to the socio-economic impacts of COVID-19” (March 2020), p. 2.

⁹ See General Assembly resolution 76/216.

¹⁰ See General Assembly resolution 75/215.

lost¹¹ and foreign direct investment, trade and remittances have decreased. Sixty per cent of the least developed countries and other low-income countries are at high risk of, or in, debt distress.¹² The estimated impact of the pandemic on the world's economy has been forecast at \$22 trillion by 2025.¹³

9. Disparities in growth prospects for 2022 will persist between developed economies and low-income countries, despite downward revisions during the first quarter of 2022.¹⁴ The lingering effects of the pandemic, coupled with the impacts of climate change and the current energy and food crisis, are likely to further increase poverty and exacerbate vulnerabilities. The multidimensional crisis increasingly affects people and countries in vulnerable situations.¹⁵ Those countries are the most in need of additional financing for development, including official development assistance (ODA) and other forms of economic cooperation. Inclusive business models and arrangements that enhance human rights, technical assistance and technology-sharing are also key to overcoming such obstacles.

1. Financial support: fiscal space, ODA and debt

10. The global financial system has failed to adequately support the economies weakened by the financial crisis, compounded by the pandemic. That has also underscored the divergent fiscal space of countries to confront the crisis and comply with their human rights obligations. Eighty per cent of the unprecedented fiscal and monetary measures to cushion the socioeconomic impact of the pandemic were adopted by the governments of developed countries, while many developing countries faced increased fiscal constraints.¹⁶ Advanced economies were able to invest around 28 per cent of their gross domestic product into economic recovery, whereas middle-income countries could invest only 6.5 per cent and the least developed countries just 1.8 per cent of their smaller budgets,¹⁷ creating a divergent global response and recovery.

11. The Secretary-General has warned that lopsided investment is leading to a lopsided recovery, deepening inequalities between countries and undermining global trust and solidarity.¹⁸ This uneven capacity to respond has placed many developing countries in a weakened position to respond to the impacts of today's multiple and cascading crises, including the lingering COVID-19 pandemic, rising food and energy prices, alongside the escalating climate emergency. That makes effective international cooperation even more essential to providing the most affected countries with appropriate means and facilities to foster their comprehensive development.

12. Although official bilateral and multilateral aid development assistance increased in 2021,¹⁹ it continued to be insufficient and far below the target of 0.7 per cent of ODA per gross national income (GNI) and 0.15 to 0.20 per cent of ODA/GNI to the least developed countries.²⁰ An increased proportion of ODA was provided as loans and with tougher lending terms.²¹ The High Commissioner has repeatedly advocated for greater efforts in support of

¹¹ https://developmentfinance.un.org/sites/developmentfinance.un.org/files/FSDR_2021.pdf, p. 2.

¹² https://developmentfinance.un.org/sites/developmentfinance.un.org/files/FSDR_2022.pdf, p. 119.

¹³ <https://www.who.int/news/item/28-07-2021-elevating-political-leadership-for-pandemic-preparedness-and-response-meeting-with-the-un-general-assembly>.

¹⁴ See https://unctad.org/system/files/official-document/tdr2021-update1_en.pdf and <https://www.un.org/development/desa/dpad/publication/world-economic-situation-and-prospects-2022/>.

¹⁵ See, for example, UN Global Crisis Response Group on Food, Energy and Finance, "Global impact of the war in Ukraine", brief No. 2 (8 June 2022).

¹⁶ https://developmentfinance.un.org/sites/developmentfinance.un.org/files/FSDR_2022.pdf, p. 13.

¹⁷ <https://www.un.org/sg/en/node/259241>.

¹⁸ <https://laopdr.un.org/en/146412-secretary-general-remarks-high-level-meeting-financing-development-era-covid-19-and-beyond>.

¹⁹ https://developmentfinance.un.org/sites/developmentfinance.un.org/files/FSDR%202022%20ODA%20Data%20Update_April%202022_final.pdf.

²⁰ In 2021, only five countries met or exceeded the target of 0.7 per cent of GNI while total share of ODA to the least developed countries remained below target. One country cut its ODA to 0.5 per cent in 2021.

²¹ <https://doi.org/10.1787/2dcf1367-en>.

developing countries, including through development assistance, concessional loans, debt relief and lifting of sanctions, to allow them more fiscal space to ensure adequately resourced services for the protection of human rights, including the right to development during the crisis and in the recovery. The Inter-Agency Task Force on Financing for Development has recommended that States scale up and meet their ODA commitments and provide fresh concessional financing to developing countries, especially the least developed.²² Increasingly, recommendations issued in the context of the universal periodic review, by the treaty bodies and by special procedure mandate holders call on donor countries to raise their ODA levels to meet their international commitments, including target 17.2 of the Sustainable Development Goals.²³ Development cooperation plays a key countercyclical role in times of crisis like COVID-19, which can assist the least developed countries and other developing countries to stimulate economic recovery through rights-enhancing policies.

13. Article 7 of the Declaration on the Right to Development focuses on the need for disarmament and redirection of resources towards development. Despite the Secretary-General's calls for a global ceasefire, military expenditure and armed conflicts have increased since the beginning of the pandemic,²⁴ with the latter further increasing military expenditure worldwide.

14. Sovereign debt burdens were identified as a major challenge for States to mobilize resources to respond to the pandemic,²⁵ particularly as many countries were already facing heavy debt burdens.²⁶ Forty-four per cent of the least developed and other low-income developing countries were at high risk of or in debt distress by January 2020.²⁷ Since then, severely decreased revenues, together with high levels of expenditure relating to emergency response, have increased debt levels. By December 2021, about 60 per cent of the least developed and other low-income countries were at high risk of or in debt distress.²⁸ Private sector participation in various debt relief programmes, including the Debt Service Suspension Initiative and the subsequent Common Framework for Debt Treatment, also remained absent, despite the high percentage of sovereign debt owned by the private sector. Debt burden and debt services constrain the ability of indebted countries to mobilize resources for meeting their human rights obligations and achieving development. The cancellation of debt service obligations in 25 countries, amounting to \$964 million between April 2020 and December 2021, was an important step provided by the International Monetary Fund (IMF) but has not gone far enough in providing the relief needed to support an inclusive, resilient and sustainable recovery.²⁹

15. The Secretary-General has repeatedly called for a reformed global financial system that works for all countries, particularly those most affected by the pandemic. A global financial system that was fit for purpose implied urgent debt restructuring and reforms of the long-term debt architecture, better functioning of the Common Framework for Debt Treatment, with the full engagement of private sector creditors and credit rating agencies, the alignment of private finance and credit rating methodologies with the 2030 Agenda for Sustainable Development and climate objectives, and the expansion of the Debt Service Suspension Initiative to all countries that needed it.³⁰ He also urged debt relief extension for the more than 100 middle-income countries, calling for innovative measures to mitigate the socioeconomic impacts of the crisis.³¹ Based on the policy options identified under the Initiative on Financing for Development in the Era of COVID-19 and Beyond, the Secretary-

²² https://www.un.org/ohrrls/sites/www.un.org.ohrrls/files/fsdr_2022.pdf, p. 77.

²³ See, for example, [A/HRC/47/12](#), para. 139.2; [A/HRC/48/8](#), para. 35.20; [E/C.12/FIN/CO/7](#), para.11; [E/C.12/CZE/CO/3](#), para.11; and [A/HRC/45/15/Add.1](#).

²⁴ See <https://www.sipri.org/yearbook/2021/08>.

²⁵ [A/75/167](#), para. 50.

²⁶ See <https://www.worldbank.org/en/topic/debt/brief/covid-19-debt-service-suspension-initiative>.

²⁷ "Debt and COVID-19: a global response in solidarity", 17 April 2020, p. 4.

²⁸ See <https://blogs.imf.org/2021/12/02/the-g20-common-framework-for-debt-treatments-must-be-stepped-up/>.

²⁹ <https://www.imf.org/en/Publications/Policy-Papers/Issues/2021/12/17/Catastrophe-Containment-and-Relief-Trust-Fifth-Tranche-of-Debt-Service-Relief-in-The-511094>.

³⁰ <https://www.un.org/sg/en/node/261421>.

³¹ <https://news.un.org/en/story/2021/06/1094202>.

General has formulated recommendations on liquidity, debt standstills, debt relief and the international debt architecture.

16. Supported by the World Bank and IMF, the Debt Service Suspension Initiative implemented by the Group of 20 (G20), temporarily suspended government-to-government debt payments to 48 of the 73 countries eligible for funding by the International Development Association so that they could refocus their resources on fighting the pandemic and its impacts.³² Between May 2020 and the expiration of the initiative in December 2021, it provided more than \$12.9 billion in relief to those 48 countries.³³ The proportion of debt payments that were suspended, however, was uneven between countries. As of March 2022, only three countries had participated in the Common Framework for Debt Treatment established by the G20 to help countries restructure their debt and deal with insolvency and liquidity problems.³⁴ Debt suspensions that have been implemented will defer repayments, often leaving countries with difficult choices between servicing creditors or fulfilling human rights, including the rights to life, health, food, education, social security and development.

17. Those initiatives to address countries' debt share similar limitations in terms of their eligibility criteria, which exclude middle-income countries and lack measures compelling private creditors to participate. In 2020, debt owed to private creditors by countries eligible for the Debt Service Suspension Initiative rose by 8 per cent.³⁵ Possible downgrading by credit rating agencies also disincentivized eligible countries from participating. The influence of credit rating agencies on the global financial system and conflicts of interest can negatively impact the ability and capacity of States to access the resources needed.³⁶ The Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights observed that some sovereign downgrades had increased financial market volatility and the difficulty for eligible countries to gain access to new sources of financing.³⁷ The Independent Expert noted that the framework imposed tough conditionalities, did not grant immediate generous write-downs of debt for low-income countries and placed the burden on debtor countries to seek comparable treatment from other creditors, including private ones.³⁸

18. In August 2021, the Board of Governors of the IMF approved a \$650 billion special drawing rights allocation to boost global liquidity.³⁹ These were credited following the IMF quota system, which concentrates voting power in a few developed countries.⁴⁰ While welcoming the issuance of the new special drawing rights, the Secretary-General advised that richer countries reallocate their surplus special drawing rights to others most in need.⁴¹ The creation of the Resilience and Sustainability Trust to help vulnerable countries meet longer-term challenges is a welcome development. Its operationalization will go a long way to addressing the challenges faced by vulnerable countries in accessing affordable emergency financing. In October 2021, the G20 announced their ambition to reallocate \$100 billion of special drawing rights to the most vulnerable countries with pledges made for around \$45 billion.⁴²

19. United Nations human rights bodies and OHCHR undertook various activities, particularly to redress inequalities within and between countries in the context of the COVID-19 response and recovery, and reviewed how economic policies could enhance or undermine

³² Eligible countries plus Angola, as of financial year 2020.

³³ See <https://www.worldbank.org/en/topic/debt/brief/covid-19-debt-service-suspension-initiative>.

³⁴ Chad, Ethiopia and Zambia.

³⁵ World Bank Group, *International Debt Statistics 2022*, p. 16.

³⁶ See [A/HRC/46/29](#).

³⁷ *Ibid.*

³⁸ [A/76/167](#), paras. 31–32.

³⁹ <https://www.imf.org/en/News/Articles/2021/07/30/pr21235-imf-governors-approve-a-historic-us-650-billion-sdr-allocation-of-special-drawing-rights>.

⁴⁰ *Ibid.*

⁴¹ *Ibid.* IMF members can voluntarily reallocate part of their SDRs to low-income countries through the IMF Poverty Reduction and Growth Trust or other options being explored by the IMF including the new Resilience and Sustainability Trust.

⁴² See “G20 Rome Leaders’ Declaration” (2021), available from <https://www.gpfi.org/news/g20-rome-leaders-declaration-0>.

the level of respect for human rights. The activities included the provision of technical assistance, advocacy, research, development of guidance and tools on the right to development, international cooperation and solidarity.⁴³ During a dialogue on inequality between world leaders at the fifteenth session of the United Nations Conference on Trade and Development in October 2021, the High Commissioner addressed the inequalities affecting the most vulnerable populations and countries with diverging capacities to tackle the impacts of the pandemic. She reiterated calls for increased support to the least developed countries and small island developing States to ensure that they maintained the necessary fiscal space to adopt countercyclical measures to recover from the crisis. The 2021 Social Forum discussed lessons learned and challenges in the fight against the pandemic with a special focus on international cooperation and solidarity, and from a human rights perspective.⁴⁴

20. The Independent Expert on foreign debt analysed debt challenges in developing countries in the context of the pandemic,⁴⁵ addressed the limitations of the international debt architecture and proposed recommendations for reform based on human rights standards and principles.⁴⁶ The Independent Expert on the promotion of a democratic and equitable international order stressed the need for renewed multilateralism with a more effective and inclusive approach to respond to and recover from the COVID-19 pandemic, placing people and respect for human rights at the centre of the process.⁴⁷ A recent study by the Expert Mechanism on the Right to Development provides guidance to States and other stakeholders on operationalizing the right to development in achieving the Sustainable Development Goals, focusing on their means of implementation and the duty of States for international cooperation.⁴⁸

21. States have the responsibility to cooperate to create favourable conditions of development for peoples and individuals. They require adequate financial resources, including through cooperation, to comply with their human rights obligations, especially when heightened investments are required in health, social protection and other measures to counter increased poverty. They should mobilize resources to combat COVID-19 in the most equitable manner, being careful to avoid imposing a further economic burden on marginalized groups that have been disproportionately affected.⁴⁹ States should also adopt special, targeted measures, including through international cooperation, to protect and mitigate the impact of the pandemic on vulnerable groups.⁵⁰

2. Austerity measures and international financial institutions

22. With interest rates expected to rise globally, countries will face increased pressure to service their debt.⁵¹ A recent review of loan agreements with international financial institutions revealed a push for the adoption of austerity measures in the future.⁵² The fiscal impacts of debt burden, coupled with increased pressure to service their debts, will limit the ability of States to respond to the crisis and come on top of decades of social underfunding. A recent analysis projected that over 150 countries would undertake budget cuts in 2022.⁵³

23. Austerity measures have historically led to retrogression in the enjoyment of economic, social and cultural rights and the right to development, with disproportionate

⁴³ See <https://www.ohchr.org/en/development>.

⁴⁴ See [A/HRC/49/79](#).

⁴⁵ See [A/75/164](#).

⁴⁶ See [A/76/167](#).

⁴⁷ See [A/HRC/48/58](#).

⁴⁸ See [A/HRC/48/63](#).

⁴⁹ [E/C.12/2020/1](#), para. 14.

⁵⁰ *Ibid.* para. 15.

⁵¹ <https://blogs.imf.org/2021/12/02/the-g20-common-framework-for-debt-treatments-must-be-stepped-up/>.

⁵² [A/HRC/49/28](#), para. 39.

⁵³ *Ibid.*, paras. 39–40.

impacts on women and the most marginalized.⁵⁴ They often target health, education, infrastructure investment and poverty reduction efforts. Proposed budget cuts and austerity measures following the pandemic should therefore be carefully assessed in terms of their impacts on human rights.

24. The High Commissioner emphasized that the COVID-19 crisis offered the opportunity to rebuild better by prioritizing the construction or reinforcement of systems to deliver the rights to health and social protection, which, despite being vital investments in many cases, had been eroded by decades of austerity.⁵⁵ She stressed the importance of United Nations country teams working with the international financial institutions to ensure that they fully upheld human rights in their financing and conditionalities.

25. OHCHR has recently provided technical assistance and advice to governments and United Nations country teams in assessing and addressing the impacts of debt servicing, austerity measures and economic reforms on human rights. For example, in Zambia, where 39 per cent of its 2021 budget was allocated to debt servicing, OHCHR offered macroeconomic advice focused on the impact of debt servicing on economic and social rights and ways to reorganize the budget to release resources, ensuring minimum essential levels for health, with a focus on the most disadvantaged sections of the population. That measure is in line with the principle of fair and equitable distribution of the benefits of development as enshrined in the Declaration on the Right to Development.

26. OHCHR has also worked within the United Nations system to expand engagement with the international financial institutions to integrate human rights analysis. In Lebanon, OHCHR supported the development of a United Nations country team position paper to inform and contribute to IMF technical discussions on reforms. In key recommendations, it emphasized the need for a human rights-based approach to economic reforms; compliance with the obligation and principle of non-retrogression of economic and social rights in the context of austerity measures; the need for progressive taxation; and compliance with minimum essential levels for COVID-19 recovery. In Argentina, OHCHR assessed the State's fiscal capacity to meet its human rights obligations with the aim of providing advice to the authorities in their negotiations with the IMF and recommended that human rights impact assessments should be carried out.

27. States and international financial institutions should adopt countercyclical policies with the aim of promoting more equitable and sustainable development. They should also follow recommendations by the Committee on Economic, Social and Cultural Rights, the guiding principles on human rights impact assessments of economic reforms and those on debt and human rights to ensure consistency and policy coherence with their human rights obligations. When reviewing State reports, the Committee on Economic, Social and Cultural Rights has often urged borrower States to consider their obligations under the Covenant in all aspects of their negotiations with international financial institutions to ensure that economic, social and cultural rights, particularly of the most vulnerable, are not undermined and has encouraged creditor countries to do all they can to ensure that the policies and decisions of the international financial institutions are in conformity with States' obligations, especially regarding international assistance and cooperation.⁵⁶

3. Renewed multilateralism and a new social contract

28. One of the lessons from the pandemic is that countries financing human rights-related public policies and services become more resilient to crises over time, thereby entering a virtuous cycle of investing in quality services, which also renders them more affordable. As a result of such services and support, including in the fields of education and health, people

⁵⁴ See, for example, [A/HRC/26/39](#), para. 28; [A/HRC/37/54](#), para. 4; [E/2013/82](#), [A/76/167](#); [A/73/179](#) and <https://www.unicef-irc.org/publications/1095-rapid-review-economic-policy-social-protection-responses-to-health-and-economic-crises.html>.

⁵⁵ <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26770&LangID=E>.

⁵⁶ See, for example, [E/C.12/2016/1](#), [E/C.12/UKR/CO/7](#), para. 5; [E/C.12/CHE/CO/4](#), para. 13; and [E/C.12/ECU/CO/4](#), para. 6.

have better economic opportunities over the long term and government revenue is higher, including through taxation.⁵⁷

29. As stated by the Secretary-General, multilateral frameworks need to be reviewed to ensure they protect critical global public goods and deliver on common aspirations for peace, sustainable development, human rights and dignity for all.⁵⁸ In setting out his vision for a new social contract, the Secretary-General called for a new global deal whereby power, resources and opportunities are better shared and governance mechanisms better reflect contemporary realities. In September 2021, he also launched the Global Accelerator on Jobs and Social Protection for Just Transitions, which aims to channel national and international, public and private, financial and technical support towards the creation of at least 400 million decent jobs in the care, green and digital economies, and the expansion of social protection to the 4 billion people who currently remain unprotected by any form of coverage. Achieving that goal will also require enhanced multilateral cooperation to support integrated social protection and decent employment strategies, including through political champions and the full collaboration of the United Nations system. The Global Accelerator also entails a strategy for initial seed funding to achieve these aims in 2022, while laying the groundwork for the possible establishment of a global fund for social protection, which is already being explored by the International Labour Organization and the Special Rapporteur on extreme poverty and human rights⁵⁹ and could also support countries in increasing levels of funding devoted to social protection.

30. Establishing new social contracts anchored in human rights would rebuild public trust between people and their governments and is vital to establishing societies in which policymakers give priority to combating inequalities and investing in creating an enabling environment for the realization of all human rights. Investing in human rights is key to social inclusion, economic prosperity and political stability. Those public investments require ensuring human rights-enhancing economies that seek to maximize available resources, including through progressive fiscal policies and increasing budget transparency, accountability and a broad space for social dialogue, scrutiny and participation.⁶⁰

B. Vaccines roll-out and business model

31. More than two years after the pandemic emerged, important progress has been made in the development of vaccines and medicines against COVID-19. The COVID-19 vaccines were significant scientific achievements in the fight against the virus and contributed to a sharp reduction in deaths worldwide. Although vaccine coverage in all countries was considered the only sustainable way out of the acute phase of the pandemic, the roll-out of COVID-19 vaccines was grossly uneven, revealing and exacerbating existing stark inequalities.⁶¹

32. Universal and equitable access to COVID-19 vaccines that are safe and effective is an essential element of the right of everyone to the highest attainable standard of physical and mental health,⁶² the right to development and the right to enjoy the benefits of scientific progress and its applications. It also has profound implications for the enjoyment of other human rights, including the right to development, and remains one of the strongest determinants of countries' ability to control the pandemic and move towards a sustainable recovery. However, as of June 2022, fewer than 18 per cent of adults in low-income countries had been vaccinated with at least one dose, compared to over 70 per cent in high-income countries.⁶³ Many developing countries continued to lack sufficient access to full vaccination

⁵⁷ A/HRC/49/28, paras. 33–67.

⁵⁸ <https://www.un.org/sg/en/node/261520>.

⁵⁹ See A/HRC/47/36.

⁶⁰ A/HRC/49/28, paras. 46–67.

⁶¹ <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-member-state-information-session-on-covid-19-3-march-2022>.

⁶² See E/C.12/2021/1.

⁶³ <https://data.undp.org/vaccine-equity/> (data as at 13 June 2022).

against COVID-19, while some countries were administering booster shots and later started lifting most protective measures.

33. Vaccine inequity has been one of the driving forces behind the uneven recoveries between high-income and developing countries. That approach has been both economically and epidemiologically self-defeating,⁶⁴ with the estimated cumulative cost of delayed vaccination alone amounting to \$2.3 trillion by 2025 and developing countries bearing the burden.⁶⁵ New variants are more likely to emerge among largely unvaccinated populations, with profound implications for the rights to health, work, education and social security globally.

34. Some high-income countries have secured over 200 per cent more vaccine doses than they need to achieve potential coverage.⁶⁶ The concentration of manufacturing capacity for vaccines, therapeutics, diagnostics and protective equipment in a reduced number of countries has also contributed to unequal access. Vaccine production was highly concentrated in a few countries, with little transparency regarding the contracts or input markets. Even some vaccines produced in Africa were shipped to countries that had already vaccinated most of their populations,⁶⁷ evidence of financial considerations being placed before rights-based analysis and the vulnerability of unvaccinated populations in countries producing vaccines. At the same time, of the more than 4.7 billion COVID-19 tests administered globally by early February 2022, only around 22 million (0.4 per cent) were in low-income countries.⁶⁸

35. The Secretary-General, the High Commissioner for Human Rights and the Director-General of the World Health Organization (WHO) have repeatedly called for a coordinated global response to the pandemic and for strengthened international solidarity and cooperation to ensure everyone has access to COVID-19 vaccines, testing, effective treatments and medicines. The High Commissioner supported WHO calls for the recognition of COVID-19 vaccines as global public goods, giving priority to public health over private profit, and for scaled-up efforts to expand vaccine production and secure access to treatments and medicines, including through sharing information, technology transfers and flexibility on intellectual property,⁶⁹ in line with the principle of equitable and fair distribution of the benefits of development.

36. The Access to COVID-19 Tools Accelerator, launched in April 2020 by WHO and partners and its COVID-19 Vaccine Global Access (COVAX) Facility originated as global solidarity initiatives to speed up the development of vaccines, diagnostics, and therapeutics, and to facilitate coordinated and equal access to them.⁷⁰ Although the Accelerator has facilitated the research and development of COVID-19 tools and has enhanced equitable access to those, it was hindered by export bans, the prioritization of bilateral deals by manufacturers and countries, and challenges in scaling up vaccine production by some key producers.⁷¹ By the end of 2021, only 92 out of 194 States had reached the achievable target of 40 per cent vaccination of their population owing to limited supply to low-income countries for most of the year and problems such as vaccines arriving close to their expiration and without key parts such as syringes. In at least 20 countries, supply chain and distribution issues also affected roll-outs. Vaccine hesitancy and misinformation also affected vaccine

⁶⁴ <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-wto---who-high-level-dialogue-expanding-covid-19-vaccine-manufacture-to-promote-equitable-access>.

⁶⁵ https://unctad.org/system/files/official-document/tdr2021_en.pdf, p. 2.

⁶⁶ <https://theindependentpanel.org/wp-content/uploads/2021/05/Background-paper-5-Access-to-vaccines-Therapeutics-and-Diagnostics.pdf>, p. 23.

⁶⁷ A/HRC/49/35, para. 4.

⁶⁸ <https://news.un.org/en/story/2022/02/1111582>.

⁶⁹ See: https://www.ohchr.org/Documents/Events/COVID-19_AccessVaccines_Guidance.pdf and <https://www.ohchr.org/sites/default/files/2021-12/High-Commissioner-statement.docx>.

⁷⁰ COVAX brought together governments, scientists, philanthropists, businesses, civil society and global health organizations, such as GAVI, the Coalition for Epidemic Preparedness Innovations, and WHO. See <https://www.who.int/initiatives/act-accelerator/about>.

⁷¹ <https://www.who.int/publications/m/item/consolidated-financing-framework-for-act-a-agency-in-country-needs>.

roll-out. By mid-February 2022, 116 countries were unlikely to reach the target of 70 per cent of their population vaccinated by mid-2022.

37. Regional initiatives emerged to improve equal access to vaccines and medicines as positive examples of States' duty to cooperate to eliminate all obstacles to development. The African vaccine acquisition task team, set up in August 2020, established the African Vaccine Acquisition Trust as a centralized purchasing agent on behalf of the African Union to ensure safe and efficacious COVID-19 vaccines for at least 60 per cent of the population of Africa. With support from the African Export-Import Bank, in March 2021 the Trust signed a procurement agreement with a pharmaceutical company for the purchase of over 200 million doses, partly manufactured in South Africa. To overcome production and supply constraints, while continuing advocacy for vaccine equity through COVAX, WHO established the mRNA vaccine technology transfer hub strategy in support of vaccine production in low- and middle-income countries. One hub was established in South Africa and five more were announced in Egypt, Kenya, Nigeria, Senegal and Tunisia.

38. OHCHR continued to advocate for and monitor access to vaccines by marginalized groups, globally and nationally, provided technical assistance to States and engaged in public campaigns to address vaccine hesitancy.⁷² It organized a seminar on good practices, key challenges and new developments relevant to access to medicines and vaccines on 8 December 2021 and a dedicated discussion on the topic at the forty-ninth session of the Human Rights Council. The High Commissioner for Human Rights reiterated that vaccine nationalism was inconsistent with States' human rights obligations, denying people's right to development. All options to expand and diversify vaccine production must be sought, including increased transnational research and exchange between developed and developing countries, voluntary licences, technology transfers and patent pooling, together with accelerated support to COVAX and the technology transfer hubs developed with WHO assistance. The High Commissioner called for the urgent adoption of the temporary waiver under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) requested by South Africa and India and supported by more than 100 countries.

39. Six United Nations independent experts submitted letters to, inter alia, States, the European Union, the World Trade Organization (WTO) and pharmaceutical companies, raising concerns at the lack of transparency in contracts between States and pharmaceutical companies and urging collective action towards equal and universal access to COVID-19 vaccines.⁷³ According to several human rights mechanisms, pharmaceutical companies have failed to meet their human rights responsibilities in the context of the pricing structure for the COVID-19 vaccine, access to information, knowledge-sharing and technology-sharing, the allocation of available vaccine doses and overall transparency, the latter of which is a cardinal principle of international human rights.⁷⁴ Without the disclosure of key information, it is not possible to properly determine or meaningfully evaluate vaccine policies and practices.⁷⁵

40. Unequal access to vaccines across countries and between them contradicts States' human rights obligations, including their duty to cooperate, and undermines advancement towards the Sustainable Development Goals.⁷⁶ The production and distribution of vaccines should be guided by international cooperation and solidarity and, therefore, follow global public health considerations rather than individual interests. Lack of consistency with the principle of equitable and fair distribution of the benefits of development, which is a core principle of the right to development, has negatively impacted COVAX from fulfilling its objective of ensuring equal access to vaccines for all, particularly those populations most in need. The Secretary-General and the High Commissioner called for States to cooperate to support initiatives, including the Access to COVID-19 Tools Accelerator and its COVAX facility.⁷⁷

⁷² See <https://www.ohchr.org/en/development>.

⁷³ <https://www.ohchr.org/en/press-releases/2021/10/information-note-experts-send-pharma-companies-states-eu-and-wto-letters>.

⁷⁴ A/HRC/49/35, para. 17.

⁷⁵ A/63/263, annex, paras. 6–8.

⁷⁶ See E/C.12/2021/1.

⁷⁷ A/HRC/48/26, para. 79.

41. States have an obligation to take all necessary measures to the maximum of their available resources, including through international cooperation, to guarantee access for all persons to vaccines and COVID-19 treatments.⁷⁸ According to the Committee on Economic, Social and Cultural Rights, vaccine nationalism breaches the extraterritorial obligations of States relating to the right to health.⁷⁹ States' obligation to protect the right to health implies their duty to cooperate in overcoming obstacles to the effective production and distribution of vaccines, "including by using their voting rights as members of different international institutions and organizations and of regional integration organizations".⁸⁰ Currently, intellectual property rights present obstacles to vaccine production and other critical elements of COVID-19 response, including testing and treatments. States should prevent intellectual property and patent regimes from undermining the enjoyment of economic, social and cultural rights and the right to development.⁸¹ On 17 June 2022, the WTO Ministerial Conference adopted a decision allowing eligible members to limit the rights provided for under article 28.1 of the TRIPS Agreement by authorizing the use of patent-protected ingredients and processes necessary for the manufacture and supply of COVID-19 vaccines without the consent of the patent holder to the extent necessary to address the pandemic.⁸² In that regard, it should be recalled that the High Commissioner stressed the need to ensure universal access to the full benefits of COVID-19 treatments that were being developed.⁸³

42. All businesses, including pharmaceutical companies, have a responsibility to respect human rights, refraining from causing or contributing to adverse impacts on the rights to life, health or development.⁸⁴ Meeting that responsibility requires undertaking appropriate human rights due diligence to identify, prevent, mitigate and address any risk or actual human rights impacts of their activities and operations.⁸⁵ States have the obligation to protect people against human rights abuses by third parties, including businesses. They must take appropriate steps to prevent, investigate and punish such abuse and provide redress through effective policies, legislation, regulations and adjudication.⁸⁶ That obligation encompasses States' control and influence over the conduct of corporations within their territory or under their jurisdiction, including extraterritorially.⁸⁷ States should also consider the impact of decisions regarding the pricing and distribution of vaccines with regard to discriminatory access for people in marginalized situations.⁸⁸

43. Fair distribution of vaccines in accordance with the right to development principles would have saved hundreds of thousands of lives and could have prevented some of the mutations that have spread rapidly around the world.⁸⁹ Delayed vaccination exacerbates the impact of the COVID-19 pandemic, which may result in a lost decade for development, push an entire generation of young people into poor education and unemployment, reduce countries' resilience to new crises and increase the risks of social protests at the human rights consequences of pandemic-related measures. Fair-share contributions from countries to address the funding gap in the Access to COVID-19 Tools Accelerator and investments in vaccine delivery and testing are urgently needed as a matter of fairness and justice.⁹⁰

44. Sharing the benefits of scientific progress and its applications is a key component of international cooperation in achieving development. Besides the Accelerator and COVAX,

⁷⁸ See [E/C.12/2021/1](#). See also [E/C.12/CZE/CO/3](#), paras. 44–45; [E/C.12/LVA/CO/2](#), para. 41; [E/C.12/FIN/CO/7](#), paras. 8–9.

⁷⁹ [E/C.12/2021/1](#), para. 4.

⁸⁰ *Ibid.*, para. 3.

⁸¹ *Ibid.*, para. 7.

⁸² WT/MIN(22)/W/15/Rev.2.

⁸³ <https://www.ohchr.org/en/statements-and-speeches/2022/03/panel-discussion-ensuring-equitable-affordable-timely-and-universal>.

⁸⁴ Guiding Principles on Business and Human Rights, principle 11.

⁸⁵ *Ibid.*, principle 15.

⁸⁶ *Ibid.*, principle 1.

⁸⁷ Committee on Economic, Social and Cultural Rights, general comment No. 24 (2017), paras. 26 and 28.

⁸⁸ https://www.ohchr.org/Documents/Events/COVID-19_AccessVaccines_Guidance.pdf.

⁸⁹ See, for example, <https://www.who.int/news/item/17-05-2022-statement-for-healthcare-professionals-how-covid-19-vaccines-are-regulated-for-safety-and-effectiveness>.

⁹⁰ <https://www.un.org/sg/en/node/261793>.

regional pooled procurement, local production of vaccines and multilateral technology transfer initiatives are examples of international cooperation and solidarity in action that require further support. For instance, technical assistance from companies already manufacturing vaccines could shorten the vaccine production time for the hubs.⁹¹ The hubs also contribute to strengthening national and regional technological capacities for fighting other diseases and preparing for future pandemics.

C. Green recovery, the right to development and the right to a clean, healthy and sustainable environment

45. Many of the same persons, groups, peoples and countries that are disproportionately impacted by the COVID-19 pandemic have also been severely affected by the triple planetary crisis of climate change, biodiversity loss and pollution. However, rights-based environmental action has not been a sufficient focus of COVID-19 response and recovery efforts. In fact, the *2021 Production Gap Report* found that G20 countries had directed almost \$300 billion in new funds towards fossil fuel activities since the beginning of the COVID-19 pandemic.⁹² That is more than the funds directed towards clean energy and three times as much as the \$100 billion in annual climate finance pledged by developed countries to support the needs of developing nations, a pledge made in 2010 that, as of 2022, has not yet been met. The international community must align its actions with its commitments.

46. Fifty years ago, in the Declaration of the United Nations Conference on the Human Environment (Stockholm Declaration), the international community called for development compatible with the need to protect and improve the environment, and the application of science and technology for the identification, avoidance and control of environmental risks and the common good of mankind, including enhanced efforts to make important science and technology available to developing countries.⁹³ In resolution 48/13, the Human Rights Council recognized “the right to a clean, healthy and sustainable environment as a human right that is important for the enjoyment of human rights”. In the resolution, the Council recalled the Stockholm Declaration and the Declaration on the Right to Development and emphasized that “sustainable development, in its three dimensions (social, economic and environmental) ... contribute[s] to and promote[s] human well-being and the enjoyment of human rights”.

47. Those instruments and the 2030 Agenda for Sustainable Development reflect the critical interlinkages between the right to development and the right to a healthy environment and have substantial implications for our world today. In her global update to the forty-eighth session of the Human Rights Council, the High Commissioner for Human Rights described environmental degradation as the greatest human rights challenge of our era. The connections to and implications for the COVID-19 response and recovery are clear. Environmental degradation, including biodiversity loss, increases the risk of zoonotic transmission of diseases that can result in viral epidemics such as COVID-19.⁹⁴ Pollution also contributes to pre-existing medical conditions, such as asthma, enhancing vulnerability to viral infections.⁹⁵ Future pandemic prevention and preparedness requires that these risk factors be addressed.

48. The response to COVID-19 has created opportunities for investments to build forward towards more resilient and sustainable societies. However, the inadequate implementation of human rights principles, such as non-discrimination, international cooperation and equity, which are integrated in the Stockholm Declaration and subsequent international instruments, including the Rio Declaration, the Paris Agreement and the Declaration on the Right to Development, have so far hampered the development of rights-based green recovery

⁹¹ <https://msfaccess.org/msf-responds-who-announcement-6-countries-will-receive-tech-mrna-covid-19-hub>.

⁹² <http://productiongap.org/2021report>.

⁹³ Articles 13, 14, 18 and 20 of the Stockholm Declaration.

⁹⁴ United Nations Environment Programme and -OHCHR, “Human rights, the environment and COVID-19: key messages” (2020).

⁹⁵ See A/HRC/49/53 and “The Lancet Commission on pollution and health”, *The Lancet*, vol. 391, No. 10119 (February 2018).

measures to meet the developmental and environmental needs of present and future generations. Such measures are a matter of legal obligation and are also better policy. According to the Intergovernmental Panel on Climate Change, rights-based approaches, including the meaningful participation of people in vulnerable situations, can advance climate resilient development.⁹⁶ The Independent Expert on human rights and international solidarity has noted that climate finance and technology transfer “are a vital part of achieving human rights-based international solidarity in the climate change context”.⁹⁷ However, in his 2020 report on climate action, the Special Rapporteur on the right to development found that “there has been an inadequate degree of international cooperation between nations”.⁹⁸

49. A rights-based approach to COVID-19 recovery would also help ensure funding to address pollution, climate change and nature loss, as well as social protection for those affected. COVID-19 recovery funds should benefit those most affected by environmental degradation and systematically integrate human rights and gender equality into governance structures and public participation mechanisms. The right to meaningful and informed participation in development and public affairs, as guaranteed under international law, is critical to ensuring that climate finance and COVID-19 recovery packages are effective and sustainable. In that context, the Issue Management Group on Human Rights and Environment established by the United Nations Environment Management Group has developed a joint United Nations strategy for engagement on human rights and climate change at the twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change (COP26), which includes a dedicated section on climate finance, noting that a human rights-based approach improves the sustainability and equitability of the outcomes of climate change policies and emphasizes the critical importance of the effective participation of individuals and communities in decision-making processes and policies that affect their lives.⁹⁹

50. Missed opportunities for a greater focus on green recovery from COVID-19 highlight the importance of administering finance through transparent, participatory, accountable and non-discriminatory processes. Publicly available impact assessments, robust social and environmental safeguards and independent grievance mechanisms are critical to ensuring that all human rights are respected, protected and fulfilled. COVID-19 recovery measures should be informed by the commitments made in the Stockholm Declaration, the three Rio Conventions and the Paris Agreement, including as regards the best available science, technology transfer and advancing the right to development.

51. These human rights imperatives are recognized by the United Nations and the countries most vulnerable to climate change. The Secretary-General’s Call to Action for Human Rights seeks to advance the right to a healthy environment, reiterated in Our Common Agenda, which also calls for ambitious climate finance as part of a sustainable recovery and the promotion of intergenerational equity, including a “credible solidarity package of support to developing countries ... as well as the provision of technological support and capacity-building”.¹⁰⁰ In July 2021, the Secretary-General addressed the first Climate Vulnerable Finance Summit and called for global solidarity in providing access to vaccines and debt relief, as well as justice and solidarity in addressing the climate crisis.¹⁰¹ The High Commissioner for Human Rights contributed to the leadership dialogue held by the Climate Vulnerable Forum at COP26, which adopted the Dhaka-Glasgow Declaration. The Declaration identifies climate change as a human rights crisis and calls on States to raise climate ambition and finance in the context of the COVID-19 recovery.¹⁰²

⁹⁶ Intergovernmental Panel on Climate Change, *Climate Change 2022: Impacts, Adaptation and Vulnerability*, Summary for policymakers, p. 32.

⁹⁷ [A/HRC/44/44](#), para. 44.

⁹⁸ [A/75/167](#), para. 48.

⁹⁹ https://unemg.org/wp-content/uploads/2021/09/EMGSOM.27_INF_5-IMG-HR-and-Environment-Strategy-for-UNFCCC-COP26.pdf.

¹⁰⁰ UN, *Our Common Agenda - Report of the Secretary-General* (2021), p. 57.

¹⁰¹ <https://www.un.org/sg/en/content/sg/statement/2021-07-08/secretary-generals-video-message-the-first-climate-vulnerable-finance-summit>.

¹⁰² <https://thecvf.org/our-voice/statements/dhaka-glasgow-declaration-of-the-cvf/>.

III. Conclusions and recommendations

52. States should abide by their primary responsibility to respect, protect and fulfil the right to development at three levels: (a) internally through national policies and programmes; (b) internationally, as they adopt and implement policies that affect persons beyond their jurisdictions; and (c) collectively, through global and regional partnerships.¹⁰³ All business enterprises wherever they operate, should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.¹⁰⁴

53. A global coordinated effort is urgently required to reverse the increasingly diverging paths of the COVID-19 recovery, with some countries recovering and many others falling deeper into cycles of poverty, hunger, unsustainable debt and austerity, facing severe setbacks to the achievement of sustainable development. A two-speed recovery undermines trust and solidarity, fuels conflict and forces displacement, and makes the world more vulnerable to future crises, including climate change.

54. All actors should engage in time-bound discussions to identify concrete solutions to debt sustainability in the short, medium and longer term. Private creditors should assume their responsibility for preventing and resolving unsustainable debt situations¹⁰⁵ and should engage in global debt relief initiatives including the Common Framework for Debt Treatment. Middle-income countries should be included in debt relief measures. Developed countries should redistribute special drawing rights to countries that need them most. Credit ratings must be reviewed to ensure their accountability and transparency.

55. All creditors and credit rating agencies should consider human rights, in particular economic, social and cultural rights and the right to development, as part of the rule of law that must be respected by debtor countries. Governments that lend money bilaterally or through international financial institutions should avoid heavy repayment requirements or loan conditions that might limit policy space and the ability of debtor countries to fulfil their human rights obligations and commitments.

56. International financial institutions should support the COVID-19 pandemic recovery efforts of States by ensuring that their programmes and loans enhance the fiscal space and capacities of States to deliver in the areas of health, social protection and other human rights. International financial institutions should conduct human rights impact assessments of proposed interventions, which should consider the potential impacts of conditionalities, such as structural adjustments and austerity measures that limit the ability of States to fund and deliver public policies and services essential for fulfilling economic, social and cultural rights and the right to development. Such proposed interventions should be revised to exclude conditionalities with adverse impacts on the enjoyment of human rights in these States.

57. Donors and international institutions should step up development assistance. States should also fund and support the Access to COVID-19 Tools Accelerator and its COVAX pillar in proportion to their economic capacities.

58. Vaccines should be treated as global public goods available to all. International solidarity should translate into enhanced support from all States and manufacturers to COVAX through funding and increased supply of vaccines for low- and middle-income countries, as well as supporting delivery efforts. Obstacles to ensuring that vaccines and treatments reach everyone, including licensing processes that are unduly complex and restrictive, should be eliminated. Under the TRIPS Agreement, States should consider the introduction of a temporary waiver of relevant intellectual property rights until the COVID-19 pandemic is contained, in line with the right of WTO members to protect

¹⁰³ See [A/HRC/15/WG.2/TF/2/Add.2](#).

¹⁰⁴ Guiding Principles on Business and Human Rights, principle 1.1

¹⁰⁵ *Report of the International Conference on Financing for Development, Monterrey, Mexico, 1822 March 2002 (A/CONF.198/11)* chap. I, resolution 1, annex, para. 47; and https://sustainabledevelopment.un.org/content/documents/2051AAAA_Outcome.pdf, para. 97.

public health and, in particular, to promote access to medicines for all.¹⁰⁶ Pharmaceutical companies should respect the right of States to use such provisions.¹⁰⁷

59. States should pursue an integrated and sustainable approach to the COVID-19 response and recovery that aligns with their obligations and commitments under human rights and environmental law, particularly with respect to the rights to development and a healthy environment, and their common but differentiated responsibilities. That should include mobilizing finance for an equitable and sustainable recovery from COVID-19, protecting and fulfilling the rights of all people to benefit from science and its applications, including technologies to protect the environment and human health, and taking ambitious, evidence-based, participatory and collective action to address the interlinked global crises of COVID-19, biodiversity loss, climate change and pollution.

60. States should integrate human rights, including the right to development, in policies and other measures to respond to and recover from the pandemic. Human rights norms and principles offer guidance for States to cooperate with each other in the implementation of immediate actions to address global inequalities in the financial system, undertake structural reforms to the debt architecture, reverse vaccine inequity, guarantee increased investment in social protection and advance greener economies.

¹⁰⁶ Declaration on the Agreement on Trade-Related Aspects of Intellectual Property Rights and Public Health, adopted by the World Trade Organization on 14 November 2001.

¹⁰⁷ See [E/C.12/2020/1](#).