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

Response and recovery plans and policies on the coronavirus disease (COVID-19) pandemic from the perspective of the right to development at the international level

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the right to development, Saad Alfarargi, submitted in accordance with Human Rights Council resolutions [33/14](#) and [42/23](#).

* [A/77/150](#).



Report of the Special Rapporteur on the right to development, Saad Alfarargi

Summary

In the present report, submitted to the Human Rights Council pursuant to Council resolutions [33/14](#) and [42/23](#), the Special Rapporteur on the right to development, Saad Alfarargi, examines the response to and recovery from the coronavirus disease (COVID-19) pandemic from the perspective of the right to development at the global level, highlights good practices and reviews challenges in ensuring equality among countries. The Special Rapporteur concludes the report with recommendations on integrating the right to development into such response and recovery plans and policies.

I. Activities of the Special Rapporteur

1. The present report is submitted to the General Assembly pursuant to Human Rights Council resolutions [33/14](#) and [42/23](#).

2. At the fifty-first session of the Human Rights Council, the Special Rapporteur on the right to development, Saad Alfaragi, will submit a thematic report to the Council ([A/HRC/51/30](#)), in which he will examine coronavirus disease (COVID-19) response and recovery plans at the national level from the perspective of the right to development. He will highlight good practices and review challenges in ensuring the meaningful participation of rights holders within countries. He will conclude with recommendations on integrating the right to development into COVID-19 recovery plans and policies. The report will also contain a summary of the activities of the Special Rapporteur between September 2021 and July 2022.

II. Coronavirus disease (COVID-19) recovery plans and policies, and the right to development

A. Introduction

3. The resolution whereby the mandate of the Special Rapporteur is established contains the request that the Special Rapporteur contribute to the promotion, protection and fulfilment of the right to development in the context of the implementation of the 2030 Agenda for Sustainable Development and other internationally agreed outcomes of 2015, including the Sendai Framework for Disaster Risk Reduction (2015–2030), the Addis Ababa Action Agenda of the Third International Conference on Financing for Development and the Paris Agreement, and, to this effect, to engage with Member States and other stakeholders. In 2020, the General Assembly, in its resolution [75/182](#), paragraph 50, invited the Special Rapporteur, together with the Chair-Rapporteur of the Working Group on the Right to Development, to present a report on efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, taking into account the context of the response to and the recovery from the COVID-19 pandemic. In implementing that mandate, the Special Rapporteur intends to examine in the present report the compliance of a variety of COVID-19 recovery plans and policies with the right to development at the international and regional levels.

4. In the present report, the Special Rapporteur expands upon the guidelines and recommendations on the practical implementation of the right to development that he presented to the Human Rights Council in September 2019.¹ Those guidelines emerged from worldwide consultations conducted in 2018 and 2019. The consultations brought together a diverse group of participants, who identified good practices in designing, implementing, monitoring and assessing policies and programmes that contribute to the realization of the right to development. The Special Rapporteur has also continued to review the challenges that stakeholders face and to make practical recommendations on ways to integrate a perspective based on the right to development into COVID-19 recovery plans and policies.

B. Policy and normative background

5. In article 1 of the Declaration on the Right to Development, it is stated: “The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social,

¹ [A/HRC/42/38](#).

cultural and political development”. The Declaration also outlines principles which should guide policy decisions related to COVID-19 response and recovery efforts, including that: (a) States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and the duty to cooperate with each other in ensuring development and eliminating obstacles to development (art. 3.1); (b) States should realize their rights and fulfil their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and cooperation among all States, as well as to encourage the observance and realization of human rights (art. 3.3); (c) States have the duty to take steps, individually and collectively, to formulate international development policies with a view to facilitating the full realization of the right to development (art. 4.1), and effective international cooperation is essential in providing developing countries with appropriate means and facilities to foster their comprehensive development (art. 4.2); (d) effective measures should be taken to ensure that women have an active role in the development process (art. 8.1); (e) States should encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights (art. 8.2); and (f) steps should be taken to ensure the full exercise and progressive enhancement of the right to development, including the formulation, adoption and implementation of policy, legislative and other measures at the national and international levels (art. 10).

6. In its formulation, the 2030 Agenda was guided by the purposes and principles of the Charter of the United Nations, including full respect for international law, grounded in the Universal Declaration of Human Rights and international human rights treaties, and informed by other instruments, such as the Declaration on the Right to Development. The key principles of the Declaration on the Right to Development are reaffirmed throughout the 2030 Agenda.² The General Assembly, in its resolution [75/290](#) on the review of the implementation of Assembly resolutions [67/290](#) on the format and organizational aspects of the high-level political forum on sustainable development and [70/299](#) on the follow-up and review of the 2030 Agenda at the global level, recalled that the 2030 Agenda is informed by the Declaration on the Right to Development.³ Sustainable Development Goal 17 comprises the States’ commitment to strengthen the means of implementation of the 2030 Agenda and revitalize the Global Partnership for Sustainable Development. The targets related to Goal 17 each echo the Declaration on the Right to Development in underscoring the importance of international cooperation in finance (targets 17.1–17.5); technology (targets 17.6–17.8); capacity-building (target 17.9); trade (targets 17.10–17.12); and in addressing systemic issues, such as finance, enhancing policy and institutional coherence and multi-stakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources to support the achievement of the Goals, in particular in developing countries, as well as data, monitoring and accountability (targets 17.13 to 17.19).

7. In the Special Rapporteur’s estimation, COVID-19 response and recovery plans are, essentially, development plans; as such, they should be in line with the right to development, with the commitments that Governments made in the 2030 Agenda and, most importantly, with the promise “to leave no one behind”. It is the Special Rapporteur’s conviction that none of the above-mentioned targets can be effectively achieved without the informed and active participation of all individuals concerned and all peoples and communities who are affected, in all processes and at all levels of decision-making with regard to the evaluation, planning, monitoring and implementation of COVID-19 recovery plans and policies.

² General Assembly resolution [70/1](#), para. 10.

³ Resolution [75/290](#) B, preamble.

III. Current practices and cooperation at the international level

A. Integrating the right to development into coronavirus disease (COVID-19) recovery plans and policies: practical examples

8. To collect information about the extent to which rights holders have been placed at the centre of decision-making processes related to COVID-19 response and recovery efforts, the Special Rapporteur issued a call for submissions from States Members of the United Nations and from relevant international organizations, civil society organizations, non-governmental organizations (NGOs), think tanks, practitioners and academics.⁴ A number of countries provided practical examples of ways in which they have benefited from international cooperation to develop and implement COVID-19 response and recovery plans and policies, as well as overviews of their efforts to address the pandemic at the global and regional levels; and the challenges they met in that regard.⁵ Several civil society actors also provided examples of recovery plans and policies that comprise inclusive and participatory practices, including from a gender perspective, and outlined numerous challenges facing marginalized parts of societies, in particular in low-income countries. They also provided examples of the challenges resulting from the actions of multilateral banks and other development actors.⁶ The Special Rapporteur recognizes that, as a result of the pandemic, many stakeholders had to redirect resources. He is grateful to all those who devoted their time and efforts in order to provide contributions, thus allowing him to provide examples that may be adapted and used in the future.

9. Many States have been working to recover from the economic downturns caused by the pandemic and simultaneously increase their resilience to future shocks.

10. According to the submission of the Government of Mauritius dated 28 March 2022, the country has benefited from health infrastructure projects and donations of medical equipment, protection supplies and vaccines from various countries. It also benefited from foreign investment in private health-care infrastructure and insurance, and secured vaccine purchase agreements with international suppliers. The support of the World Health Organization (WHO) and partnerships with friendly countries were critical in the national response to COVID-19.

11. The United Nations, through Partnership for Action on Green Economy, has been providing technical support and funding to develop national recovery efforts from COVID-19. Starting in June 2021, online workshops were organized with various stakeholders, including representatives of the general public, planters, agroprocessors, researchers, academics, exporters and retailers to develop recovery plans.

⁴ The call for submissions is available at www.ohchr.org/en/calls-for-input/calls-input/call-inputs-special-rapporteur-right-development-covid-recovery-plans.

⁵ The country submissions received are available at www.ohchr.org/en/special-procedures/sr-development. The following countries provided information regarding their coronavirus disease (COVID-19) recovery plans and policies: Burundi (19 April and 25 May); Costa Rica (28 March); Iraq (1 April); Kenya (29 March); Malaysia (21 April); Mauritius (28 March); Mexico (28 March); Philippines (8 March and 25 May); and the Syrian Arab Republic (2 March).

⁶ The submissions received from civil society actors are available at www.ohchr.org/en/special-procedures/sr-development. The following civil society organizations provided submissions in response to the call issued by the Special Rapporteur on the right to development: Asia-Pacific Forum on Women, Law and Development (4 March); Center for Economic and Social Rights (1 March); Civil Society and Media Studies Association (28 February); Coalition for Human Rights in Development (1 March); European Network on Debt and Development (1 March); International Accountability Project (1 March); and Equal Rights Trust (28 February).

12. The United Nations Development Programme Mauritius country programme on inclusive development and public sector effectiveness for the period 2017–2022 is aimed at bringing responsive strategy solutions to the challenges in improving public sector management in support of poverty reduction, social inclusion and the promotion of gender quality. The European Union supports economic reform in Mauritius by promoting social inclusion and renewable energy. The Decentralised Cooperation Programme worked to increase the capacity of the private sector, economic and social parties, including trade unions, and civil society organizations, to deliver projects that have an impact on poor communities' priority concerns. The Programme issued a series of calls for proposals in respect of: sponsoring individuals' participation in workshops, seminars and conferences; funding scholarships for studies or training courses; and microfinance projects. The French Development Agency supports Mauritius in the areas of infrastructure, energy transmission, tourism and regional cooperation.

13. According to the submission of the Government of Burundi dated 19 April, the global policy framework adopted in 2015 remains coherent, even if there have been modifications with the integration of COVID-19 recovery plans. Burundi has a tradition of conducting participatory processes involving all State and non-State actors, as well as technical and financial partners. Through these participatory processes, the Government developed its operational plan for its response to the pandemic, which involved case management, prevention and infection control. Integrated recovery plans were developed and financed with official development assistance (ODA) provided by international partners, and led by WHO.

14. The pandemic spread rapidly to more than 177 countries worldwide, demonstrating that all States must mobilize together against this disease. In Burundi, the strategic plan that has been elaborated for this purpose is used to fight against the pandemic with the support of technical and financial partners. Some States have more means than others to fight against the pandemic. As COVID-19 is a global disease, States must support one another by developing common or regional projects to fight it. Through combined efforts and concerted actions, countries can mobilize additional resources at the international level. Developed countries should become aware of the need to share their knowledge and provide technical cooperation and capacity-building to the less developed countries, with a view to promoting a full recovery from COVID-19.

15. According to the submission of the Government of the Philippines dated 25 May, pursuant to the Bayanihan to Recover as One Act, the Government reallocated a portion of fiscal space from the infrastructure sector to the COVID-19 response. It also allotted ODA support for the pandemic response, primarily for the emergency cash assistance programme and for health system delivery through the provision of medical supplies and equipment, the construction of isolation and quarantine facilities and the strengthening of the capacity of existing health facilities, among others. During the pandemic, there were increases in the level of ODA resources provided by both multilateral and bilateral development partners. Development partners constantly coordinated with the national Government to provide assistance related to the COVID-19 response and recovery.

16. National government oversight and implementation agencies in the country adjusted their strategies, processes and policies to address new implementation issues arising from the pandemic, such as delays in materials and/or service delivery, the deployment of manpower, and additional costs related to health and safety measures, and to ensure that ODA remains effective and adaptive.

17. The national Government actively finances and seeks support from the international development community for its COVID-19 response programmes and projects. Once projects are identified and tagged as priorities, the Government

facilitates their processing and the subsequent signing of the corresponding grant and loan agreements.

18. The national Government collaborates with UNDP, the United Nations Children's Fund, the United Nations Population Fund and the United Nations Resident Coordinator's Office on the joint programme on reaping the demographic dividend and managing the socioeconomic impact of COVID-19 by applying an integrated national financing framework, an initiative aimed at strengthening financing for the Sustainable Development Goals in the context of the pandemic.

19. The joint programme is designed to apply the building blocks of the integrated national financing framework by providing catalytic support to the Government to strengthen the current mechanisms of the national planning and budgeting processes and to ensure that resource allocation is more effectively targeted. It also seeks to establish a more diversified financing framework that can leverage additional resources to support the achievement of the Goals in an integrated manner. This is particularly important in the COVID-19 context, given that the country now risks significantly regressing from its pre-pandemic trajectory which, had it continued, would have placed the country on track to achieve the targets of the Sustainable Development Goals by 2030.

20. One example of technical assistance to the country was received through the Asian Development Bank (ADB) knowledge and support technical assistance projects related to the pandemic, which include the following: a project on creating cities that are attractive to investors in a post-COVID-19 Asia and the Pacific and enhancing competitiveness and resilience through quality infrastructure, aimed at leveraging ADB resources, knowledge and partnerships to help local governments to increase their technical, financial and managerial capacity to develop municipal infrastructure, improve their resource mobilization and enhance their competitiveness and resilience post-COVID-19; a project on educational technology solutions for last-mile schools in the context of the pandemic, aimed at supporting the education department in operationalizing a learning continuity plan for basic education which will enable students to continue learning through blended learning modalities during the pandemic; and a project on building the capacity of journalists from developing member countries in Asia and the Pacific, which will support journalists, help to deepen their technical skills and broaden their understanding of increasingly complex economic and social development issues to improve the quality of their reporting, expand public awareness and enhance public dialogue on development issues, including situating and reporting on COVID-19 as a development issue and/or challenge for developing member countries.

21. According to the submission of the Government of the Syrian Arab Republic dated 2 March, development agencies have supported national strategies to address the pandemic and work on developing the capacities of national and local governments. Examples of cooperation with WHO, UNICEF and UNFPA were provided.

22. The Government expects that the signing of the strategic framework document for the period 2022–2024 will play an important role in the concerted efforts to implement recovery plans, the priorities of which have been agreed, in the light of the indicators of the Sustainable Development Goals and the country's national development strategy.

23. According to the submission of the Government of Malaysia dated 21 April, in order to mobilize additional resources at the international level during the pandemic, the country provided humanitarian assistance by supplying vaccines to Bangladesh, the Lao People's Democratic Republic and Bosnia and Herzegovina. In addition, Malaysia is involved in various international and regional platforms, such as the Asia-Pacific Economic Cooperationforum, Commonwealth, the United Nations and

multilateral development banks. Malaysia actively participates in meetings hosted by these organizations (from the officials level to the ministerial level) and utilizes these platforms to register national concerns, proposals and ideas related to the continuous effort to mitigate the adverse impacts of the pandemic.

24. According to its submission dated 28 March 2022, the Government of Mexico participated in the creation of a methodological guide for municipal socioeconomic recovery in the context of COVID-19 led by United Nations Human Settlements Programme (UN-Habitat), consolidating a series of strategies, lessons and objectives to combat the challenges of the pandemic with emerging solutions. The Guide contains a proposed step-by-step methodology for municipal governments to develop their own municipal socioeconomic recovery plans, the implementation of which will require efficient coordination among the country's three levels of government.

25. The Government of Mexico was able to participate in the COVID-19 Vaccine Global Access (COVAX) Facility, which is the result of international cooperation, and has provided life-saving vaccines to more than 100 countries and territories. Another good example provided by the Government is the Organisation for Economic Co-operation and Development (OECD) Regional Recovery Platform, which contains internationally comparable subnational data on the COVID-19 crisis, as well as a compendium of policy solutions to support recovery. It complements the OECD COVID-19 Recovery Dashboard, which features indicators on recovery at the national level. The Ministry of Economy participates in various international forums (e.g. Asia-Pacific Economic Cooperation forum, Agreement between the United States of America, the United Mexican States, and Canada, OECD) where best practices are shared and issues related to States' post-pandemic recovery are explored.

B. Impact of the coronavirus disease (COVID-19) pandemic on the realization of the right to development, and international challenges

26. The Special Rapporteur welcomes the examples set out above (paras. 10–25), which provide a selection of promising examples of international cooperation that may facilitate the COVID-19 response and recovery at the global level in line with the right to development. The Special Rapporteur notes the importance that States from the Global South attach to international cooperation and support in the fields of health, economic recovery and social protection. At the same time, throughout the consultations he held in preparation for the present report, the Special Rapporteur identified numerous challenges that hamper the response and recovery from a regional and international perspective.

27. The World Bank Group, in its *World Development Report 2022*, states that the pandemic has triggered the largest global economic crisis in more than a century, leading to a dramatic increase in inequality within and among countries, with a particularly severe impact on emerging economies. Studies suggest that more than 50 per cent of households in emerging and advanced economies were not able to sustain basic consumption for more than three months in the face of income losses and, on average, businesses could cover fewer than 55 days of expenses with cash reserves. The burden was worse for households and firms in emerging economies that were already indebted prior to the crisis. The World Bank Group also estimates that global poverty has increased for the first time in a generation, with disproportionate income losses among disadvantaged populations; in 2020, temporary unemployment was higher in 70 per cent of all countries for workers who had completed only a primary education. Women, likelier to be employed in sectors more affected by lockdowns and physical distancing measures, were more affected by income and employment losses. Among businesses, smaller firms, informal businesses and enterprises with limited access to

formal credit suffered bigger income losses. The World Bank Group further suggests that the recovery from the crisis will be uneven, with emerging economies and the poor needing much more time to recover income and livelihoods lost as a result of the pandemic.⁷

28. Many States have been working to recover from the economic downturns caused by the pandemic while simultaneously increasing their resilience to future shocks and delivering on climate action. In the European Union, Next Generation EU is a 750 billion euro temporary recovery instrument to help to repair the immediate economic and social damage caused by the pandemic.⁸ This stimulus package requires European Union member States to submit national recovery and resilience plans, which are intended to promote clean technologies and renewables, energy efficiency, sustainable transport, and education and training, with a focus on youth and gender equality. In low- and low-to-medium-income countries, however, the already stretched budgets do not allow for the simultaneous financing of all needs, and hard choices need to be made. Examples from the Asia-Pacific region show that the size and composition of fiscal packages allocated in 2020 to respond to the crisis varied significantly.⁹ Low-income countries from the region have announced fiscal packages of less than 2 per cent of their gross domestic product (GDP). At the same time, domestic fiscal revenues are projected to decline by 2 per cent of GDP for the same group of countries.¹⁰ In addition, countries with smaller financial reserves focused their spending on health-related measures, leaving little fiscal space to finance other measures, such as social protection and support for livelihoods in the communities most adversely affected by the pandemic.

29. In the conditions of a global economic crisis, Governments worldwide are introducing cuts in public sector expenditures. Low-income countries have resorted to taking on increasing levels of debt, at a high borrowing cost, from private lenders and countries that are not members of the Paris Club of Industrial Country Creditors.¹¹ The Economic and Social Commission for Asia and the Pacific has raised the concern that the pandemic may result in a protracted debt crisis for developing countries. Debt risk has been rising for a decade, and public debt in emerging markets has surged to levels not seen in 50 years. According to 2020 estimates by the World Bank Group and the International Monetary Fund (IMF), among others, repayments by developing countries on their public external debt alone were expected to rise to between \$2.6 trillion and \$3.4 trillion during the period 2020–2021.¹² Average debt ratios for 2021 were projected to rise by 10 per cent of GDP in emerging market economies and by approximately 7 per cent of GDP in low-income countries.¹³

30. In 2021, UNDP studied the effects of COVID-19 on human development in 10 African countries.¹⁴ The study yielded the following conclusions: COVID-19 directly effects human health systems, changing patterns of mortality and morbidity; the direct

⁷ See, in particular, World Bank Group, *World Development Report 2022: Finance for an Equitable Recovery*, chap. 1 (Washington, D.C., 2022).

⁸ See https://ec.europa.eu/info/strategy/eu-budget/eu-borrower-investor-relations/nextgenerationeu_en.

⁹ Economic and Social Commission for Asia and the Pacific (ESCAP), COVID-19 monitoring database (<https://www.unescap.org/covid19>).

¹⁰ Ibid.

¹¹ United Nations Children's Fund (UNICEF) Office of Research – Innocenti, "Protecting and transforming social spending for inclusive recovery: COVID-19 and the looming debt crisis", Innocenti Policy Brief series, No. 2021-01 (Florence, Italy, 2021).

¹² ESCAP, "An assessment of fiscal space for COVID-19 response and recovery in Asia-Pacific developing countries", MPFD Policy Briefs, No. 116 (November 2020).

¹³ UNICEF Office of Research – Innocenti, "Protecting and transforming social spending for inclusive recovery: COVID-19 and the looming debt crisis".

¹⁴ "Analysing long-term socio-economic impacts of COVID-19 across diverse African contexts", 2021.

health effects are mitigated through government policy and civil society actions that reduce human interaction, slowing the spread of the virus and saving lives while also reducing economic activity and changing patterns of production and consumption; the changing economic effects ripple through the international economic system, changing patterns of trade, foreign direct investment, foreign aid and remittances. UNDP found that although the short-term health effects of COVID-19 on those 10 countries have been relatively limited (with the exception of South Africa), the effects associated with government policies were a driver of impaired human development. In the 10 countries, the reductions in GDP growth ranged from -2.6 per cent to -10.6 per cent and were coupled with reductions in household income, reduced government revenues and a 4 per cent increase in the number of people living in extreme poverty. Furthermore, COVID-19 reduced international flows of trade and aid remittances, and reductions in FDI between countries ranged from -35.1 per cent to -72.5 per cent. Reductions were also observed in exports, with the island economies experiencing the sharpest reduction in international trade. In the study, UNDP warns that the economic downturn will drive an increase in indirect mortality – which measures the number of people who will die by 2030, not as a direct consequence of COVID-19 but from preventable communicable diseases that stem from poor access to food, clean water and sanitation, and income. In the long term, countries that had low levels of government capacity and low government investment in health systems prior to COVID-19 will bear the largest burden of indirect mortality.

31. In its study, UNDP also found that the economic downturn caused by the pandemic would be relatively persistent across countries, with reductions in GDP still expected in 2030 and 2050. Countries with higher levels of government capacity and a smaller reliance on agriculture would show a stronger recovery. Countries with lower government capacity and a higher share of labour engaged in the agricultural sector would show a continued worsening of economic declines to 2040 and 2050. The long-term effects of COVID-19 will multiply the development challenges these countries face.

32. In a recent study, the Economic Commission for Latin America and the Caribbean (ECLAC) underscored some of the challenges resulting from the pandemic in the region.¹⁵ While ECLAC found that international trade in the region recovered rapidly, it also underscored that the region's reliance on tourism, which is higher than the world average, resulted in uncertainty about the prospects of several economies, especially in the Caribbean. It also found that the pandemic had the worst effect on the micro-, small and medium-sized enterprises that export to the regional market. In its study, ECLAC also looked at the challenge of productive self-sufficiency in the region's health-care industry. It observed that health-care industry exports are concentrated in developed countries, with the exception of medicines in India and medical devices in China. Latin America and the Caribbean accounted for 1.1 per cent of global exports of pharmaceutical products between 2018 and 2020. Meanwhile, the value of the region's imports in 2020 was almost five times that of its exports, and virtually all countries in the region have trade deficits in the sector, explained by the heavy dependence on extraregional supplies of patented medicines with valid patents and active ingredients for the manufacture of generic drugs. In addition, the region's share of the pharmaceutical patents granted worldwide is less than 1 per cent.

33. Another study by ECLAC examined the negative effects of the pandemic on the environment in the region.¹⁶ The study showed that, while the lockdowns and closures

¹⁵ The information in the paragraph is derived from *International Trade Outlook for Latin America and the Caribbean, 2021: Pursuing a Resilient and Sustainable Recovery* (United Nations publication, 2021).

¹⁶ "How to finance sustainable development: recovery from the effects of COVID-19 in Latin America and the Caribbean", Special Report COVID-19 series, No. 13, 27 January 2022.

of industrial and commercial establishments led to localized improvements in air quality and reductions in greenhouse gas emissions in 2020, the improvements were temporary, dissipating when economic activities resumed. Across the region, recovery measures focused on maintaining consumption or offsetting its declines have weakened non-health public services, territorial monitoring, and social and governmental monitoring functions. Cuts to public spending and weakened surveillance have led to more illegal activities, such as deforestation on natural borders. The reductions in emissions were smaller than those called for in the Paris Agreement, and the resources applied and sectors favoured during the pandemic contrast with pledges and declarations of more ambitious explicit environmental policies.

1. Financing the response and recovery, and austerity measures

34. While the Declaration on the Right to Development does not expressly include a list of the financial priorities that would serve to fulfil the right to development, it does nevertheless outline the principles that should guide policy decisions at the national and international levels. For example, States are called upon in the Declaration to take all necessary measures for the realization of the right to development and to ensure equality of opportunity for all in their access to basic resources, education, health, food, housing and employment (art. 8). In addition, at the international level, a duty is placed on States to cooperate with each other, both to promote the more rapid development of developing countries and to remove obstacles to comprehensive development (arts. 3.3 and 4.2). These principles are equally applicable to global policies aimed at facilitating the recovery from the COVID-19 pandemic.

35. Since the beginning of the pandemic, the World Bank Group has disbursed billions of dollars to support response and recovery efforts. From April 2020 to March 2021, the World Bank Group committed more than \$200 billion to public and private sector clients to fight the impacts of the pandemic. It also made \$20 billion available to help developing countries to finance the purchase and distribution of COVID-19 vaccines; partnered with the COVAX Facility on a financing mechanism that will let the Facility make advance purchases of vaccines; and supported the African Vaccine Acquisition Task Team initiative designed to help countries to purchase and deploy vaccines for up to 400 million people.¹⁷

36. The World Bank Group announced that its crisis response is focused on four main areas.¹⁸ First, it is focused on saving lives by helping countries to stop transmission, deliver health services, ensure vulnerable households' access to medical care, and build readiness for future pandemics. The World Bank Group has vaccination programmes with more than \$9 billion approved for more than 75 countries. Second, the response is focused on protecting poor and vulnerable people by supporting income and food supplies for the most vulnerable and employment for poorer households, informal businesses and micro-enterprises. Third, it is focused on ensuring sustainable business growth and job creation by providing policy advice and financial assistance to businesses and financial institutions, with a view to helping to preserve jobs and to ensure that companies, especially small and medium-sized enterprises, can weather the crisis and return to growth. Fourth, it is focused on strengthening policies, institutions and investments; the World Bank Group is working closely with IMF to help countries to better manage public debt, carry out key reforms in financial management, and identify opportunities for green growth and low carbon development as their economies recover.

¹⁷ See www.worldbank.org/en/news/factsheet/2020/02/11/how-the-world-bank-group-is-helping-countries-with-covid-19-coronavirus.

¹⁸ Ibid.

37. These actions described above undoubtedly responded to urgent and crucial needs. However, in the process of consultations for the elaboration of the present report, civil society organizations raised a number of concerns with the Special Rapporteur related to the policies underlying the response of the World Bank Group. Many of the projects were proposed as part of a rapid disbursement or “fast track” modality, which in practice meant that projects were proposed and approved with shorter preparation times and with substantial limitations on stakeholder consultations.¹⁹ The pandemic exacerbated obstacles hindering communities’ access to information about and participation in development projects and processes, as restrictions were imposed on communities’ movements and right to assemble and be meaningfully consulted, and crackdowns were enabled under the pretext of the pandemic response.²⁰ The Special Rapporteur has previously emphasized the principle that affected communities must always have ownership of development agendas, budgets and processes.²¹ He has recommended that development banks should conduct meaningful consultations to ensure that the development priorities of the intended beneficiaries are furthered by the projects they finance and that the banks should guarantee access to information about projects they have financed before the projects are authorized.²²

38. Further concerns were raised that the initial emergency response of the World Bank Group has in some cases provided an entry point for a more expansive scope for structural reforms, including those linked to a more substantial role for the private sector in development finance, in line with the approach of the World Bank Group to development finance, summarized in the Maximizing Finance for Development framework.^{23,24} While there is ample space for private finance in development agendas, the Special Rapporteur has already raised the question of what would be the appropriate use of private versus public finance.²⁵ In his view, private financing is not appropriate for all financing needs, and greater consideration must be given to how the risks of private finance are managed. He has recommended that public-private partnerships promoted through loans, projects and other financing arrangements involving multilateral development banks and development finance institutions should be subject to independent reviews of their development outcomes, including a thorough examination of their human rights and environmental impacts.²⁶ This recommendation is equally valid in relation to COVID-19 response and recovery projects.

39. IMF provided financial assistance and debt service relief to member countries facing the economic impact of the COVID-19 pandemic. It is currently making approximately \$250 billion available to member countries.²⁷ Between March 2020 and March 2022, in the context of the pandemic, IMF focused on the following tracks:²⁸

¹⁹ See <https://accountability.medium.com/what-weve-learned-by-tracking-covid-19-relief-financing-for-two-years-1e5e77a4b0be>.

²⁰ Ibid. See also Coalition for Human Rights in Development, ARTICLE 19 and IFEX, “Unhealthy silence: development banks’ inaction on retaliation during COVID-19” (July 2021).

²¹ See A/HRC/42/38, para. 15.

²² See A/HRC/42/38, para. 50.

²³ See submission of European Network on Debt and Development. Available at www.ohchr.org/en/special-procedures/sr-development.

²⁴ World Bank Group, “Maximizing finance for development (MFD)”. Available at <https://documents1.worldbank.org/curated/en/168331522826993264/pdf/124888-REVISED-BRI-PUBLIC-Maximizing-Finance.pdf>.

²⁵ See A/75/167, para. 53.

²⁶ Ibid., para. 62.

²⁷ See www.imf.org/en/Topics/imf-and-covid19/COVID-Lending-Tracker.

²⁸ The information in the paragraph is based on the following website: www.imf.org/en/About/FAQ/imf-response-to-covid-19#Q1.

(a) First, it temporarily doubled the access to its emergency facilities – the Rapid Credit Facility and the Rapid Financing Instrument – allowing it to meet increased demand for financial assistance from member countries during the crisis. These facilities allow IMF to provide emergency assistance without the need to have a full-fledged programme in place. Emergency financing has been approved by the IMF Executive Board for 80 countries;

(b) Second, IMF has extended debt service relief through the Catastrophe Containment and Relief Trust to 29 of its poorest and most vulnerable member countries for the period between April 2020 and mid-October 2021. This debt relief assisted the beneficiary countries to channel more of their financial resources towards vital emergency medical and other relief efforts;

(c) Third, the Managing Director of IMF and the President of the World Bank Group on 25 March 2020, called upon bilateral creditors to suspend debt service payments from the poorest countries. The Group of 20 responded to the call on 15 April by agreeing to suspend repayment of official bilateral credit from the poorest countries until the end of 2020;

(d) Fourth, IMF has approved the establishment of a short-term liquidity line to further strengthen the global financial safety net;

(e) Fifth, IMF augmented existing lending programmes to accommodate urgent new needs arising from COVID-19, thereby enabling existing resources to be channelled to spending on necessary medical supplies and equipment and for the containment of the outbreak;

(f) Sixth, as IMF monitors economic developments and the impact of the pandemic at the global, regional and country levels, it recommends policies needed to overcome the crisis, protect the most vulnerable and set the stage for economic recovery;

(g) Lastly, IMF is providing policy advice and capacity development to more than 160 countries to address urgent issues, such as cash management, financial supervision, cybersecurity and economic governance.

40. Throughout the consultations preceding the elaboration of the present report, almost all the international organizations and civil society organizations that were consulted by the Special Rapporteur or that provided written submissions identified sovereign debt burdens as a major challenge in mobilizing resources to respond to the pandemic.²⁹ Addressing the debt burden of the countries in the global South, which considerably reduces the fiscal space available to them to finance their recovery and invest in the realization of fundamental rights, such as health care, education, housing and social security, requires stepping up international cooperation.³⁰ For many countries, debt moratoriums and debt restructuring might prove to be insufficient.³¹

41. In his 2020 report on financing for development, the Special Rapporteur stressed that inducing economic austerity is a key challenge to public finance policies. Such measures often involve the elimination or reduction of subsidies, including on fuel, agriculture and food products; cuts and ceilings on public sector wages, in particular

²⁹ See submissions of: Center for Economic and Social Rights; Coalition for Human Rights in Development; European Network on Debt and Development; and International Accountability Project. Available at www.ohchr.org/en/special-procedures/sr-development.

³⁰ See submission of the Center for Economic and Social Rights. Available at www.ohchr.org/en/special-procedures/sr-development.

³¹ Ibid. According to the Center for Economic and Social Rights, the cancellation of all payments on public external debt due in 2020, including principal, interest and charges, to bilateral, multilateral and private lenders, would free up an estimated \$25.5 billion for lower-income countries.

the salaries of workers in the education, health and other public sectors, who comprise a large portion of the public wage bill in developing countries; rationalizing and making social safety nets and insurance programmes, pensions, housing benefits, child benefits and disability benefits more targeted; and broadening consumption taxes, such as value added taxes, on basic products that are disproportionately consumed by poor households.³²

42. During the consultations for the elaboration of the present report, several civil society organizations³³ raised concerns related to the negative impact of austerity measures on recovery. In the midst of the economic crisis unleashed by the pandemic, some Governments have resorted to adopting austerity measures, on the advice of IMF.³⁴ IMF has proposed, as part of loan agreements, such measures as wage bill cuts and freezes on, increases to or the introduction of value added taxes and general public expenditure cuts.³⁵ Between 2021 and 2023, 80 countries will implement austerity measures worth, on average, 3.8 per cent of GDP.³⁶

43. The Special Rapporteur notes that imposing austerity measures further limits Governments' ability to addressing peoples' needs in relation to health care, water and sanitation, social protection, employment and housing, which are fundamental economic and social rights.³⁷ In their reports, the Working Group on discrimination against women and girls and 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 have repeatedly emphasized the role of social protection in cushioning the impact of the economic crisis, for women in particular.³⁸

2. Unequal access to vaccines, medicines, health technologies, diagnostics and health therapies, and international cooperation

44. One of the issues that brought to the fore the inequalities among countries and the need for greater international cooperation and solidarity is the unequal access to COVID-19 vaccines, medicines, health technologies, diagnostics and health therapies. This unequal access negatively affects the right to development in that it hampers the ability of individuals and communities to participate in political, economic, social and cultural development. Low vaccination rates have led to high hospitalization rates and a high number of deaths; measures have been introduced that restrict the movement of people and goods, harming economic, social and cultural life; and restrictions on the freedom of assembly have had a negative impact on participation in political life, to name but a few consequences of unequal access to vaccines.

45. The situation is particularly grave for people in countries of the global South, where the majority of the low- and lower-middle-income countries are located. As of 29 June, only 17.4 per cent of people in low-income countries had received at least one vaccine dose.³⁹ Meanwhile, in May, more than 76 per cent of the population in

³² See A/75/167, para. 39.

³³ See submissions of: Center for Economic and Social Rights; Coalition for Human Rights in Development; European Network on Debt and Development; International Accountability Project; and Asia-Pacific Forum on Women, Law and Development.

³⁴ Oxfam International, "Adding fuel to fire: how IMF demands for austerity will drive up inequality worldwide", Oxfam Briefing Paper (August 2021).

³⁵ Ibid.

³⁶ See submission of the European Network on Debt and Development.

³⁷ See Rutgers Center for Women's Global Leadership, "A COVID-19 feminist recovery plan to achieve substantive gender equality (June 2021).

³⁸ A/HRC/26/39 and A/73/179.

³⁹ See <https://ourworldindata.org/covid-vaccinations>.

OECD countries were fully vaccinated, with vaccination rates in 15 of those countries more than 75 per cent.⁴⁰ According to UNDP, the inequitable allocation of the global vaccine supply hampers vaccination progress in lower-income countries: in January, the Democratic Republic of the Congo, South Sudan, Ethiopia and Nigeria had yet to receive enough supply to vaccinate 10 per cent of their populations.⁴¹ In addition, limited distribution capacity in lower-income countries further hampers their vaccination efforts.⁴² Data shows that the average cost per COVID-19 vaccine dose ranges from \$2 to \$40, and the estimated delivery cost is \$3.70 per person vaccinated with two doses, after accounting for vaccine wastage.⁴³ These costs are a significant financial burden for low-income countries, where the average annual per capita health expenditure amounts to \$39.⁴⁴ Most of the countries with low health spending are in South Asia and sub-Saharan Africa.⁴⁵ In addition, the rapid appearance of new variants of COVID-19 has created the need to provide booster doses of the vaccine, and vaccination costs are therefore likely to become a recurring expenditure for the foreseeable future.⁴⁶

46. The COVAX Facility was created in April 2020 in response to the apparent need to provide access to vaccines for everyone in the world, in a truly global effort to respond to the pandemic.⁴⁷ The initiative is co-led by the Coalition for Epidemic Preparedness Innovations, the Gavi Alliance and WHO. Delivery partners are UNICEF and the Revolving Fund of the Pan American Health Organization. The aim of the Facility is to accelerate the development and manufacture of COVID-19 vaccines and to guarantee fair and equitable access for every country in the world. Through the Facility, 190 participating countries are supposed to receive equitable access to vaccines. Using an allocation framework formulated by WHO and a global risk-sharing mechanism for pooled procurement, the Facility has as its goal the vaccination of 20 per cent of all countries' population.

47. In January 2022, WHO, UNICEF and the Gavi Alliance established the COVID-19 Vaccine Delivery Partnership to support vaccine delivery in 92 countries. The Partnership provides operational support to the 34 countries that were at or below 10 per cent vaccination coverage in January 2022, with a view to increasing vaccination rates. While these initiatives are of great value, in the estimation of WHO, to truly defeat the pandemic, far greater coverage for all countries is required.⁴⁸ Furthermore, rich nations largely sidestepped the COVAX Facility, purchasing vaccines for their own populations.⁴⁹

48. Another concern related to vaccination campaigns is the capacity, or lack thereof, of domestic health-care systems to distribute vaccines in an equitable manner in accordance with the rights to life, health, benefits of scientific progress, and substantive equality. Without broader international cooperation measures that allow for the mobilization of adequate financing, many global South health systems will not

⁴⁰ See www.oecd.org/coronavirus/en/recovery-dashboard.

⁴¹ See <https://data.undp.org/vaccine-equity-archive/vaccine-equity-and-speed/>.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ See World Health Organization (WHO), *Global Expenditure on Health: Public Spending on the Rise?* (Geneva, 2021), p. 2.

⁴⁵ Ibid.

⁴⁶ See <https://data.undp.org/vaccine-equity/>.

⁴⁷ See www.who.int/initiatives/act-accelerator/covax.

⁴⁸ WHO, "Achieving 70% COVID-19 immunization coverage by mid-2022", Statement of the Independent Allocation of Vaccines Group of COVAX, 23 December 2021.; and United Nations, "70% vaccination target must be met to ward off Omicron: WHO", United Nations News, 4 January 2022.

⁴⁹ Ibid.

be able to ensure that health facilities, goods and services are available, accessible, acceptable and of good quality for all, without discrimination.

49. UNDP analysis⁵⁰ suggests that the economic recovery will be faster in countries with higher vaccination rates and much slower in low-income countries where vaccination rates are lagging. According to the analysis, had the vaccination rate been equal to that of high-income countries (54.3 per cent), low-income countries' GDP would have increased by \$16.27 billion, an increase of 5.16 percentage points in 2021.⁵¹

50. In order to enable the increase in the production of COVID-19 treatments and vaccines and to open up more opportunities for dissemination to a larger swath of the world's population at a more affordable cost, a formal proposal was made in October 2020 by India and South Africa, sponsored by 65 World Trade Organization (WTO) member States, for a temporary waiver of certain protections under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)⁵² "in relation to prevention, containment or treatment of COVID-19," inter alia, recognizing "the need for unimpeded and timely access to affordable medical products, including diagnostic kits, vaccines, medicines, personal protective equipment and ventilators, for a rapid and effective response to the COVID-19 pandemic".⁵³ The large majority of States from the global South supported the proposal.

51. On 17 June 2022, a ministerial decision on the TRIPS Agreement (WT/MIN(22)/W/15/Rev.2) was adopted by the Twelfth Ministerial Conference of the World Trade Organization. In it, the Conference noted the exceptional circumstances of the COVID-19 pandemic and decided that countries could limit the rights provided for under article 28.1 of the TRIPS Agreement by authorizing the use of the subject matter of a patent required for the production and supply of COVID-19 vaccines without the consent of the right holder to the extent necessary to address the pandemic (para. 1) and could authorize the use of the subject matter of a patent under article 31 without the right holder's consent through any instrument available in the law (para. 2). While the initial TRIPS Agreement waiver proposal included waiving restrictions in relation to health products and technologies, such as vaccines, diagnostics, therapeutics, medical devices, personal protective equipment, their materials or components, and their methods and means of manufacture, the adopted decision is limited to patents on COVID-19 vaccines. Concerns have been raised⁵⁴ that the decision's limited reach and the conditionalities imposed on potential use do not represent a genuine response to the waiver proposal. Furthermore, while the negotiation process took approximately 20 months, concerns were raised that the process for the decision's adoption did not allow for the full and informed participation of the representatives from the developing countries.⁵⁵

52. Some have argued that limiting intellectual property rights is bound to endanger innovation. However, it is clearly stated in paragraph 17 of the Doha Ministerial Declaration that intellectual property rights must be implemented and interpreted in

⁵⁰ "Impact of vaccine inequity on economic recovery", United Nations Development Programme Data Futures Platform (February 2022).

⁵¹ Ibid. For example, in the Democratic Republic of the Congo, it is estimated that if 40 per cent of the population had been vaccinated by September 2021, the country's expected increase in gross domestic product could have covered 75 per cent of its current health expenditure; and in Ethiopia, at that vaccination rate, all interest payments on government debt could have been covered three times over.

⁵² United Nations, *Treaty Series*, vol. 1867, No. 31874.

⁵³ World Trade Organization, document IP/C/W/669.

⁵⁴ See South Centre, "Trips waiver: an insufficient multilateral response. Trips-consistent national actions are called for", statement, 21 June 2022.

⁵⁵ Ibid.

a way that supports public health, both in access to existing medicines and the creation of new technologies. In March 2021, the Human Rights Council adopted its resolution [46/14](#) on ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the pandemic, in which it reaffirmed vaccine access as a protected human right and acknowledged the unequal allocation and distribution of vaccines among countries.⁵⁶ The Council urged all States, individually and collectively, to “remove unjustified obstacles restricting exports of COVID-19 vaccines”,⁵⁷ to “facilitate the trade, acquisition, access and distribution of COVID-19 vaccines”⁵⁸ for all and to “refrain from taking any economic, financial or trade measures that may adversely affect equitable, affordable, fair, timely and universal access to COVID-19 vaccines, in particular in developing countries”.⁵⁹ It also called for enhanced “access to science, technical assistance and knowledge-sharing”,⁶⁰ and called upon all stakeholders to “commit to transparency in all matters related to the production, distribution and fair pricing of vaccines”, and urged States to “immediately take steps to prevent, within their respective legal frameworks, speculation and undue export controls and stockpiling that may hinder affordable, timely, equitable and universal access for all countries to COVID-19 vaccines”.⁶¹ The preamble to the resolution contains an explicit reference to the Declaration on the Right to Development and the Vienna Declaration and Programme of Action.

IV. Conclusions and recommendations

53. The devastating impact of the pandemic on all categories of human rights has been well documented.⁶² The Special Rapporteur expresses grave concern about the worldwide effects of the COVID-19 pandemic and has called upon States to leave no one behind in their responses to the crisis. Participation is a key component of the right to development, especially the participation of those at high risk of vulnerability. This is equally true at the national and at global levels.

54. The Secretary-General has called for a new social contract among Governments, people, civil society, the private sector, international financial institutions and other key stakeholders, to ensure employment, sustainable development, universal health coverage and social protection, based on equal rights and opportunities for all.⁶³

55. In the face of the biggest public health crisis of the twenty-first century, the international community must design and implement ambitious and comprehensive policies and measures. The 2030 Agenda and the Paris Agreement need to be implemented in accordance with the universal human rights framework to ensure a swift recovery that will not simply restore the pre-pandemic status quo but advance the development and climate action goals for all people and the planet. States must cooperate in a spirit of strengthened and renewed multilateralism, including in the processes and mechanisms of the United Nations.

⁵⁶ See Human Rights Council resolution [46/14](#), preamble.

⁵⁷ Ibid., para. 6.

⁵⁸ Ibid., para. 7.

⁵⁹ Ibid., para. 16.

⁶⁰ Ibid., para. 9.

⁶¹ Ibid., para. 14.

⁶² See, for example: [A/HRC/47/31](#), sects. II.A and II.B; [A/HRC/50/40](#), sect. III; [A/HRC/48/53](#); [A/HRC/48/54](#); [A/HRC/47/29](#); [A/HRC/47/35](#); [A/HRC/46/19](#); and [A/HRC/46/34](#).

⁶³ [A/75/1](#), para. 21.

56. The Special Rapporteur recommends that international cooperation and coordination among States take into account extraterritorial obligations, or government obligations that cross State borders, as a human rights principle central to implementing cross-border solutions in the context of the pandemic.

57. States should guarantee that all stakeholders are meaningfully included in the process of negotiating international agreements, including international trade agreements. Developing countries should be better integrated into the global trading system, which will require building the capacity of States and non-State representatives engaged in negotiation processes. Information on upcoming initiatives should be made available at the national level at an early stage so that civil society and the communities concerned can participate in multilateral negotiation processes.⁶⁴ States should promote greater intraregional trade while ensuring that regional trade agreements are assessed for their human rights and environmental impacts.

58. States should promote the establishment of an international debt-work-out mechanism. The Special Rapporteur urges States to advocate the issuance of special drawing rights by IMF to nations in the global South to free up much-needed resources for response and recovery action.

59. Governments and international organizations that are funding development programmes should not impose conditionalities on beneficiary Governments, since doing so could have adverse unintended effects on the population, in particular true when the conditionalities weaken health and social welfare systems and human development policies.

60. With regard to international cooperation in tax matters, the Special Rapporteur reiterates his recommendation (see [A/75/167](#), para. 66) that an inclusive and intergovernmental United Nations tax commission be established, with a mandate and resources to ensure cooperation with a view to fostering effective domestic resource mobilization. Such a commission should also address all issues related to illicit financial flows, including tax avoidance and evasion. Universal membership, which implies that all countries would participate on an equal basis, could facilitate the remedying of harmful tax policies and practices and the elimination of tax havens and secrecy jurisdictions and other elements facilitating illicit financial flows.

61. The Special Rapporteur reiterates his recommendation that in responding to the economic impacts of the pandemic, States should carefully discern the appropriate use of private versus public finance, as private financing may not be appropriate for all financing needs. The risks of private finance need to be better managed, especially with regard to the public sector and the costs of contingent liabilities in the State's official accounts (see [A/75/167](#), para. 70).

62. The Special Rapporteur also reiterates his recommendation that development partners should recommit to the target of dedicating 0.7 per cent of gross national income to ODA by providing timetables and accountability frameworks, including enacting legislation at the national level. Development partners should also redirect aid to where it is most needed with clear actions and timelines, by providing 50 per cent of ODA to the least developed countries (see [A/75/167](#), para. 61).

63. Plans and policies aimed at assisting the economic recovery should provide for sustainable development and carbon neutrality and contribute to the implementation of the 2030 Agenda and the objectives of the Paris Agreement,

⁶⁴ See [A/HRC/42/38](#), para. 41.

in order to guarantee the ability of current and future generations to enjoy the full range of human rights. COVID-19 response and recovery policies should accelerate, or at least not hamper, the transition to zero emission economies.

64. The Special Rapporteur reiterates his recommendations that international monetary institutions and States should avoid austerity measures and public spending choices that would reverse progress on universal social protection and the delivery of public goods and services, taking such measures only when all alternative resourcing options have been exhausted. Development banks should not impose conditionalities on States requiring them to take actions, such as adjusting the tax infrastructure and imposing austerity measures, that would be detrimental to their own development.⁶⁵

65. At the global level, States and international monetary institutions need to: ensure greater coordination of economic policies, including monetary policies, so that the recovery of one group of countries is not achieved at the expense of another; provide international support through loans and grants, especially for the many least developed countries, small island developing States and middle-income countries that have been hit the hardest by the crisis; and strengthen international cooperation for expanded debt relief and sustainability initiatives for developing countries, in accordance with the relevant commitments contained in the 2030 Agenda and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development.

66. With regard to access to COVID-19 vaccines, States should continue to support a well-coordinated global approach to the development and distribution of vaccines to ensure access for all peoples on a non-discriminatory basis. States should cooperate fully with and contribute to the COVAX Facility and the COVID-19 Vaccine Delivery Partnership to ensure, at a minimum, that these initiatives meet their targets.

67. Consistent with their obligation with regard to international cooperation, to respond to public health emergencies of a global nature, WTO members should: continue the negotiations to expand the TRIPS Agreement waiver to cover not only patents related to COVID-19 vaccines but also restrictions related to health products and technologies, such as diagnostics, therapeutics, medical devices, personal protective equipment, their materials or components, and their methods and means of manufacture; widen their use of the exceptions under article 30 of the TRIPS Agreement, to allow for the manufacture and export of such products; and review the existing international intellectual property regime (including article 31 bis in the annex to the TRIPS Agreement) to accelerate the sharing of technology and know-how.

68. High-income countries should invest additional efforts in providing assistance to the countries from the global South, in particular least developed countries, to enable their health systems to provide health facilities, goods and services that are available, accessible, acceptable and of good quality for all.

⁶⁵ See [A/HRC/42/38](#), paras. 62 and 91.