

Strengthening United Nations Actions in the Field of Human Rights through the Promotion of International Cooperation

South Centre

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The South Centre submits the following written contribution to the United Nations Secretary General's Report on 'Strengthening the United Nations' action in the field of human rights through the promotion of international cooperation', in line with the United Nations General Assembly (UNGA) resolution A/RES/76/164, adopted on 16 December 2021. The resolution recognises the need for respecting the political, economic and social realities of each society in compliance with the principles and purposes of the Charter of the United Nations. The report to be presented by the Secretary-General to the UNGA represents an important opportunity to recognise that global challenges do not affect all societies equally, and that they require a broader consideration of policies and innovative solutions that can cater to the unique realities and specific needs of each society.

Background

The COVID-19 pandemic has hit the most fragile economies and vulnerable groups disproportionately. The vulnerability of these groups has worsened in the face of the public health emergency and the broader impact resulting from the measures adopted to fight against the pandemic. Although the COVID-19 situation has somewhat improved in most regions, it triggered the first increase of extreme poverty in more than two decades¹, including multidimensional poverty in particular that linked to learning and employment loss.² The situation worsened due to the current geopolitical tensions and severe climate change events, which have not only increased food shortages, but have also impacted the full enjoyment of human rights, in particular the right to health, education, housing, and access to land.³

In the face of these challenges, it has become imperative to increase global cooperation and solidarity to ensure that the pandemic recovery efforts, the fight against climate change, and increasing peace and security considers human well-being as the basis of "fundamental transformations towards sustainable development".⁴

¹ See: World Bank (Washington, DC, District of Columbia) (ed), *Poverty and Shared Prosperity 2022: Correcting Course* (World Bank 2022), p. 2.

² Ibid. p. 8.

³ Saad Alfarargi, United Nations Special Rapporteur on the right to development, *Climate Action and the Right to Development: a Participatory Approach*, United Nations Human Rights Special Procedures (2021). Available at: https://www.ohchr.org/sites/default/files/2021-12/Policy_Brief_RTDC_Climate_Action.pdf

⁴ President William Ruto (Kenya), Speech at the 77th Session of the United Nations General Assembly, New York (2023)

Facing the COVID-19 crisis and human rights

International cooperation and solidarity have a key role in ensuring that COVID-19 recovery efforts do not leave anyone behind. The continuing impacts that the pandemic has had on economic, social and cultural rights deserve more attention. The World Bank has highlighted that the non-monetary dimensions of the COVID-19 crisis will increase multidimensional poverty, particularly that linked to lost learning of young students,⁵ strained health care systems, reduced household incomes, constrained structures for income support and lack of employment security.⁶

The COVID-19 pandemic has highlighted growing inequalities in human development, as it hits the most vulnerable people, who already face increased discrimination⁷ and are not equipped to respond to external shocks. Social sustainability and inclusion should become a critical pillar for responding to crises. This requires seeking the best means for the improvement of human conditions that allow a broader understanding of development for the promotion, protection, and fulfilment of all human rights. Cooperation among developing countries, can play a key role in this regard, through the exchange of relevant experiences, good practices and the provision of innovative solutions for tackling the unique challenges faced by developing and least developed countries.

Likewise, innovation on the use of digital technologies for working and learning during the COVID-19 crisis, must not be discontinued. Enhancing digital literacy should be a key objective for the transition to digital governance. Such processes should include empowerment of marginalized and vulnerable sections of the society as necessary to achieve the Sustainable Development Goal 9. Adequate access to the internet should be provided as a means to achieve social inclusion. This will require a human rights perspective for governance of the internet that ensures an effective, accountable and inclusive digitalization.

The fight against climate change

The report of the Office of the High Commissioner for Human Rights (OHCHR) on the relationship between climate change and human rights stresses that addressing climate change-related harm remains a critical human rights concern.⁸ Along these lines, the Special Rapporteur on the Right to Development has recalled that the Paris Agreement recognises that climate change has an impact on human rights.⁹ The effects of climate change are not limited to environmental and economic damages, but also have a direct impact on the full enjoyment of human rights, from access to land and tenure, to health care, education, housing, culture and food.¹⁰

It is clear that climate change is a global challenge, and that human rights must permeate the design and implementation of climate action, in particular seeking to promote and consider the

⁵ World Bank (2022), p. 6.

⁶ Ibid. p. 13-14

⁷ United Nations Department for Economic and Social Affairs, *Sustainable Development Goals Report 2020*. (United Nations 2020) in [The-Sustainable-Development-Goals-Report-2020.pdf \(un.org\)](https://www.un.org/development/desa/pubs/2020/04/2020-report-sustainable-development-goals) (Accessed 11 January 2021)

⁸ Office of the United Nations High Commissioner for Human Rights (OHCHR), Report on the relationship between climate change and human rights, Doc A/HRC/10/61 (2009)

⁹ Saad Alfarargi, Special Rapporteur on the right to development, Report to the General Assembly (2021) UN Doc. A/76/154. Available at: <https://www.ohchr.org/en/documents/thematic-reports/a76154-right-development-note-secretary-general>.

¹⁰ See: Alfarargi (2021), p.8.

rights of those who are most affected by the impacts of climate change-related events. Nevertheless, the coordination and cohesion of the international discourse on climate change and human rights seems to be limited to the Human Rights Council. Therefore, it becomes imperative that the international community pays major attention to the need to protect people against the harms of climate change as a fundamental right. This must be consistent with the principles of equity and common but differentiated responsibilities recognised in the UNFCCC, and requires increased support for and international cooperation with developing countries.¹¹

The Human Rights Council Resolution 48/14 states that there is a need to face the challenges that States confront in addressing the adverse effects of climate change, including financial challenges. This is in line with Article 4.7 of the UNFCCC: the efforts made by developing countries against the effects of climate change depend on the effective provision of climate finance and transfer of technology by developed countries. It is necessary that the international community clarifies the linkages between human rights, climate change and international cooperation including through the panel discussions mandated by HRC Resolution 47/24 and the identification of measures for the provision of human rights protection to individuals and communities affected by climate change.¹²

Energy is a cornerstone in the fight against climate change.¹³ Access to energy, poverty eradication and sustainable development are intertwined processes, and cannot be treated in isolation.¹⁴ Embarking on a fast transition to renewable energy without fully taking into account developing countries' vulnerabilities might also trigger human displacement and migration, increasing poverty, inequality, and exacerbate other existing challenges.¹⁵ Therefore, international cooperation in the form of climate finance, technology transfer and capacity building, should also consider the need to support a just transition that considers the social and economic development challenges faced by developing countries, and the respect for and realization of human rights. Increasing public engagement in collaboration at all levels of public decision-making and paying particular attention to the participation of grassroots and vulnerable groups can play an important role towards the realization of a just transition.

Inequality, hunger and extreme poverty

The current global inequalities in the distribution of wealth, both among and within countries, have been underscored by the pandemic.¹⁶ While COVID-19 has highlighted these inequalities as a human and health crisis, aggravated in developing countries by geopolitical tensions and climate change, several large multinational companies (particularly in the extractive and pharmaceutical sectors) have experienced an unprecedented boost in their profits..

Many developing countries also face challenges linked to food insecurity, chronic malnutrition, and natural resource degradation, which are being further exacerbated by climate change. The multiple crises the developing world is currently facing has highlighted the weaknesses of the

¹¹ See: Daniel Uribe Teran and Luis Fernando Rosales, *Analysing Intersections between Climate Change and Human Rights*, Research Paper 167, South Centre (2022), p. 10. Available at: https://www.southcentre.int/wp-content/uploads/2022/10/RP167_Analysing-Intersections-between-Climate-Change-and-Human-Rights_EN.pdf

¹² OHCHR (2009), para. 71.

¹³ Hoesung Lee and Fatih Birol, "Energy is at the heart of the solution to the climate challenge", IPCC, 31 July 2020. Available from <https://www.ipcc.ch/2020/07/31/energy-climatechallenge/>.

¹⁴ Uribe and Rosales (2022), p. 11

¹⁵ See: Food and Agricultural Organization (FAO), International Fund for Agricultural Development (IFAD), United Nations Children's Fund (UNICEF), World Food Programme (WFP) and World Health Organization (WHO), *The State of Food Security and Nutrition in the World 2021*, p. 65

¹⁶ See: <https://www.theguardian.com/inequality/2017/nov/14/worlds-richest-wealth-credit-suisse>

social protection systems and the lack of adequate safety nets. Public and private partnerships can be a useful tool to support transfer of technology, skills and knowledge for building back better for the future, but in order to be effective they must be guided by strong principles of transparency and the protection and respect for human rights. The adoption of a legally binding instrument on business and human rights can support these objectives by strengthening access to information for victims of human rights violations and harmonization of rules for mutual judicial cooperation in cases involving the private sector.¹⁷

International cooperation, including through the supply of finance and technology, should play a critical role in articulating actions at the international, regional and domestic level for a comprehensive and coordinated response towards facing these current challenges and implementing the 2030 Agenda for Sustainable Development. The Right to Development as a human right by itself, and as a means for the full enjoyment of all other freedoms can support a comprehensive, cross-cutting, and multidisciplinary process that supports the improvement of human conditions and fulfilment of all human rights.

South-South and Triangular Cooperation can play a key role in this regard, through the exchange of relevant experiences, good practices and the provision of innovative solutions for tackling the unique challenges faced by developing and least developed countries.

Recommendations

1. Achieving the Sustainable Development Goals should remain a priority for international cooperation, taking into account the promotion, protection and fulfilment of all human rights. Military spending should not reduce the financing needed to this end, including to address global health needs, climate change and an inclusive digital transformation.
2. States should practice, not merely proclaim, international cooperation and solidarity as a means to strengthening public welfare and well-being, based on the principles of equal rights and self-determination of peoples and respectful of each State's political status and economic, social and cultural development.
3. Strengthening public participation and oversight of public-private partnerships, guided by strong principles of transparency and the protection and respect for human rights, is necessary to support the transfer of technology, skills and knowledge for building back better for the future.
4. States should actively participate in the ongoing discussion on the adoption of a legally binding instrument on business and human rights, while promoting the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs).
5. While formulating effective responses to the COVID-19 crisis, States should actively consider the catalytic role of South-South and Triangular Cooperation as a complement to North-South cooperation to support the implementation of the 2030 Agenda,

¹⁷ See: Daniel Uribe and Danish, *Designing a Legally Binding Instrument on Business and Human Rights*, South Centre (2020), p. 54. Available at: <https://www.southcentre.int/wp-content/uploads/2020/07/Designing-an-International-Legally-Binding-Instrument-on-Business-and-Human-Rights-REV.pdf> (accessed 23 February 2023)