Global Civil Society Report and Recommendations to the LDC5

DOHA PROGRAMME OF ACTION FOR THE LEAST DEVELOPED COUNTRIES FOR THE DECADE 2022 - 2031 (DPoA)

CIVIL SOCIETY PERSPECTIVES

LDC Watch | L'Observatoire PMA

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ACRONYMS

AAA	Accra Agenda for Action
ADB	Asian Development Bank
AF	Adaptation Fund
AfT	Aid for Trade
AGOA	African Growth and Opportunity Act
APMDD	Asian Peoples' Movement on Debt and Development
AR	Assessment Report
BEPS	Base Erosion and Profit Shifting
BoP	Balance of Payment
COP	Conferences of the Parties
CS	Civil Society
CSO	Civil Society Organisation
DAC	Development Assistance Committee
DAWN	Development Alternatives with Women for a New Era
DFQF	Duty-Free Quota-Free
DPoA	Doha Programme of Action
EIF	Enhanced Integrated Framework
EVI	Environmental Vulnerability Index
FDI	Foreign Direct Investment
GCF	Green Climate Fund

GDP	Gross Domestic Product
GEF	Global Environment Facility
GHG	Greenhouse Gas
GII	Gender Inequality Index
GLOF	Glacier Lake Outburst Flood
GNI	Gross National Income
GSP	Generalised System of Preferences
IADG	Internationally Agreed Development Goal
IP	Intellectual Property
IPCC	Intergovernmental Panel on Climate Change
IPoA	Istanbul Programme of Action
IPR	Intellectual Property Right
ISM	International Support Measure
L&D	Loss and Damage
LDC	Least Developed Country
LDCF	Least Developed Countries Fund
LIC	Low-Income Country
LMIC	Low and Middle-Income Countries
MDG	Millennium Development Goal
NDC	Nationally Determined Contribution
NTB	Non-Tariff Barrier
ODA	Official Development Assistance

ODC	Other Developing Country
OECD	Organization for Economic Co-operation and Development
PoA	Programme of Action
RoO	Rules of Origin
S&DT	Special and Differential Treatment
SDG	Sustainable Development Goal
SIDS	Small Island Developing State
SPS	Sanitary and Phytosanitary Measure
SSM	Special Safeguard Mechanism
TRIPS	Trade-Related Aspects of Intellectual Property Rights
TWN	Third World Network
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNCDF	UN Capital Development Fund
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNFPA	United Nations Population Fund
UN-OHRLLS	United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States
USD	United States Dollar
WTO	World Trade Organisation

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FOREWORD

The second part of the Fifth United Nations Conference on the Least Developed Countries (LDC5) is being held in Doha, Qatar from March 05 to March 09, 2023. The first part of the LDC5, held on 17 March 2022, adopted the Doha Programme of Action for the LDCs for the Decade 2022-2031 (DPoA). Therefore, the second part of the LDC5 will focus on the Political Declaration that will accompany the DPoA.

The LDC5 conference will bring together influential figures from around the world, including world leaders, civil society actors, parliamentarians, private sector representatives, and the youth. In the history of five decades of categorization of LDCs, little changes have been felt in the lives of its people. Progress in regard to the problems of poverty, unemployment, the sluggish pace of structural transformation, low participation in global trade, climate justice, health and educational inequality, and gender discrimination, among others, have been insignificant.

While the world's leaders have gathered in Doha to express their political commitments and discuss the implementation and future plan of action following the already agreed upon DPoA, this report "Civil Society Perspectives on the Doha Programme of Action (DPoA)" aims at bringing civil society perspectives on the DPoA alongside critical reviews on the previous programme of action for the LDCs, mainly referencing the recently concluded Istanbul Programme of Action (IPoA). Importantly, the report also provides concrete recommendations for how the international community can work together to accelerate progress towards the stated goals of the Doha Programme of Action, in coherence with the 2030 Agenda for Sustainable Development, commonly referred to as Sustainable Development Goals (SDGs).

Civil society organisations have been playing a vital role in advocating for the needs and priorities of the people of LDCs, monitoring and following-up on the implementation of the various dedicated programmes of action. LDC Watch has been holding civil society dialogues in Africa, Asia, the Pacific, and the Caribbean with the purpose of bringing voices from the ground to the fore with the ultimate goal of sustainable and irreversible graduation of all LDCs. In this context, we would like to express our deepest appreciation to LDC Watch's National Focal Points, and our Board Members for facilitating the civil society consultations which have substantially contributed towards bringing LDC-specific concerns in this report. Parallelly, LDC Watch along with other like-minded organisations have been advocating and lobbying for key policy changes in regional and multilateral frameworks to make global policies LDC-friendly, especially when it concerns food sovereignty, climate justice, fair trade, and intellectual property rights, among others.

A special thank goes to the authors' team – Sudhir Shrestha, Praman Adhikari, and Sugat Bhattarai for producing the report through a thorough review of existing publications and consultations held at national and regional level in LDCs.

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We expect this report will provide insights to policymakers at national, regional and global level in responding to the rightful concerns of the people in LDCs. We further hope that this report will serve as an advocacy document for civil society actors to organize campaigns demanding justice, equality, and development for people in LDCs.

We look forward to receiving your feedback on this report at info@ldcwatch.org.

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1. BACKGROUND

The LDC category was established by the United Nations (UN) in 1971 with an objective of focusing on the vulnerabilities from external shocks to the countries with limited productive capacity and socio-economic infrastructure. The creation of a separate LDC category has, however, failed to bring significant progress in LDCs even when more than five decades have passed of the operation of the multilateral framework under the aegis of the UN. The dismal state of progress in LDC graduation is evident from the slow pace of LDCs' graduation to the developing country category. Only six countries have graduated from the LDC category since 1971. Economic growth, structural transformation, and human resource development were some of the major focuses of the Substantial New Programme of Action adopted by the first UN Conference on LDCs, held in Paris, France in 1981. In the second UN Conference on LDCs held in 1990, the international community committed to urgent and effective actions to reverse the deteriorating socioeconomic situations in the LDCs. The monitoring of the first and the second Programmes of Action (PoAs) for LDCs remained limited within the official and administrative levels[1] and had limited engagement of the stakeholders involved in the implementation of the PoAs. The third UN Conference on LDCs held in Brussels, Belgium and its adoption of the Brussels Programme of Action (BPoA) for the LDCs for the decade between 2001 and 2010 was important in integrating the development needs of the LDCs with the internationally agreed upon development goals, including the Millennium Development Goals (MDGs) (2010-2015). The BPoA also performed poorly in terms of implementation, one of the reasons being weak accountability and monitoring.[2] It was also unable to achieve the economic growth target set by the PoA.[3] The ambition of achieving sustainable, equitable, and inclusive growth in LDCs is still unmet despite five UN conferences and five programmes of action dedicated for the LDCs.

In this context, at a time when all the stakeholders who are concerned for the future of LDCs are coming together at a common forum to discuss, deliberate, and plan for the development and growth of LDCs with the aim of sustainable graduation for all, LDC Watch as a global network of LDC civil society is bringing forth this report to catalyse discussion among stakeholders and inform them of the perspectives from civil society on the current programme of action for LDCs, the Doha Programme of Action (DPoA) for LDCs for the forthcoming decade between 2022-2031.

1.1 Progress of the LDCs: From Istanbul to Doha

The Istanbul Programme of Action for the LDCs (2011-2020), adopted during the fourth United Nations (UN) Conference of the LDCs (LDC-IV), had set an overarching goal to overcome the structural challenges faced by the LDCs in eradicating poverty, achieving internationally agreed upon goals, and enable graduation from the LDC category. It was an ambitious document (with 8 priority areas and 47 goals and targets) set to enable half the number of LDCs to meet the criteria for graduation by 2020 and achieve sustained, equitable, and inclusive economic growth of at least 7 per cent annually among LDCs.

Although the report of the UN Secretary General on the implementation of the IPoA claims of "notable progress" in the implementation of the IPoA[4], the achieved results by the completion of the implementation period of the IPoA indicate that LDCs collectively failed to meet most of the IPoA targets. The Istanbul Programme of Action failed to achieve several of its targets, including graduating half of the LDCs, attaining sustained, inclusive and equitable economic growth, with a minimum 7 per cent annual growth rate; eradicating poverty and achieving structural transformation; making manufacturing and trade gains in LDCs, including doubling the share of LDCs' exports globally by building production capacity; securing full employment and decent work for all; increasing the tax-to-GDP ratio (which has seen little increment); and building capacity to address disaster risk, and strengthening climate change adaptation. The DPoA paints a bleak picture of LDCs post-implementation period of the IPoA:

> *The number of people living in extreme poverty remained at around 32 per cent and those suffering from hunger is on the rise; there is evidence of losses in jobs and incomes in LDCs; unemployment, in particular of youth, is rampant; the inequalities between LDCs and the rest of the world as well as within LDCs are rising; infant and maternal mortality is exorbitantly high; access to energy and broadband connectivity is moving at a slower pace; structural transformation is not taking hold; infrastructure investments and equitable access to infrastructure services is lagging far behind the actual needs; productive capacity and export competitiveness are weak; climate change is occurring much faster than anticipated, as evidenced by, inter alia, disproportionately high levels of economic losses, damage to critical infrastructure, and disruption of basic services in the LDCs (Paragraph 12).*[5]

Only six countries – Botswana (1994), Cabo Verde (2007), Maldives (2011), Samoa (2014), Equatorial Guinea (2017), and Vanuatu (2020) – have graduated from LDC status since the creation of the LDC category.[6] Against the ambitious goal of graduating half of the LDCs by the time of the completion of the IPoA, only four countries – Maldives (2011), Samoa (2014), Equatorial Guinea (2017), and Vanuatu (2020) – graduated from the list of LDCs in the last decade (2011-2020). Currently, 16 LDCs are in different process of graduation – seven LDCs are scheduled to graduate by 2026; five LDCs have met the graduation criteria for the first time and will be considered for graduation if they meet the criteria consecutively in the next triennial review; and five countries have met the criteria for graduation in two consecutive triennial reviews, but their graduation has been deferred due to their high exposure to conflict and state of emergencies, the socio-economic cost of the COVID-19 pandemic, and climate change impacts (see Table 1).

The pattern of graduation of countries from the LDC category (see Table 1) shows the slow pace of development in Africa. While Africa is home to 33 out of 46 LDCs, only three countries in Africa have graduated till date, an additional two countries in the continent are scheduled to graduate by 2024, and only four countries in Africa met the graduation criteria for the first time (A country is to meet graduation criteria in two consecutive triennial review for Committee for Development Policy, a subsidiary body of the United Nations Economic and Social Council, to recommended it for graduation). 24 African LDCs are yet to meet the graduation criteria. Except for war-torn Afghanistan and Yemen, many countries in Asia will graduate by 2026 while the next triennial review is expected to consider the graduation of the remaining Asian countries. Likewise, all LDCs in the Pacific will graduate in the decade between 2020-2030, provided that resilience and mitigation measures against climate-related exogenous shocks are developed. In this way, while IPoA's ambitious target of graduating half of the LDCs by 2020 remained largely unmet, the DPoA's target of "enabling 15 additional Least Developed Countries to meet the criteria for graduation by 2031 (Paragraph 276)" is modest and achievable. Nevertheless, the cohort of graduating LDCs in the decade 2021-2030 will mostly comprise LDCs in the Asia-Pacific though LDCs are most concentrated in Africa.

Table 1 LDCs in process of graduation

Continent	Graduated	Scheduled to graduate	Graduation deferred	Graduation criteria met for the first time
Africa	Botswana (1994)	Angola (2024)		Djibouti (income only criterion)
	Cabo Verde (2007)	Sao Tome and Principe (2024)		Comoros (met income and human assets criteria)
	Equatorial Guinea (2017)			Senegal (met income and human assets criteria)
				Zambia (met income and human assets criteria)
Asia	Maldives (2011)	Bangladesh (2026)	Myanmar (2024)	Cambodia (all three criteria)
		Bhutan (2023)	Timor-Leste (2024)	
		Lao PDR (2026)		
		Nepal (2026)		
Pacific	Samoa (2014)	Solomon Islands (2024)	Kiribati (2024)	
	Vanuatu (2020)		Tuvalu (2024)	

Source: UNCTAD. (2021). The least developed countries in the post-COVID world: Learning from 50 years of experience. https://unctad.org/system/files/official-document/ldc2021_en.pdf

The IPoA target of achieving sustained growth rate of at least 7 per cent was achieved only in a few LDCs (including Bangladesh, Burkina Faso, Cambodia, Ethiopia, Senegal, and South Sudan) prior to COVID-19, while four LDCs posted negative growth in 2019.[7] On average, the GDP of LDCs increased moderately to only 5 per cent in 2018.[8] The pandemic further increased structural and economic vulnerability among LDCs and posed the risk of reversal of whatever little gains that have been made during the implementation period of the IPoA. In 2020, the LDC economies had to bear a sharp economic shock to the level that was unobserved for several preceding decades. For instance, between October

2019 and October 2020, the economic growth forecast for LDCs was revised sharply downwards from 5 to -0.4 per cent.[9] Such an extent of economic loss reversed several years of LDCs' developmental progress in terms of poverty, education, nutrition, and health.[10] According to World Relief (2022), three to four years of progress in ending extreme poverty is estimated to have been lost as a result of COVID-19.[11] In Africa, where LDCs are concentrated the most, estimates based on the current rate of progress shows that the goal of eradicating poverty cannot be achieved even by 2043.[12]

The pace of structural transformation has been slow among LDCs. Any structural transformation entails reduction in the GDP contribution of agriculture with corresponding increment in the share of manufacturing industry and service. Meanwhile, productivity in each sector should increase. While LDCs' agricultural contribution to GDP saw a small decline over the IPoA implementation period, the productivity in the sector could not improve. The LDC economies saw shift of output and labour from agriculture to service while missing out on the development and growth of the manufacturing sector. For instance, comparing 2010 with 2017, the share of agriculture, forestry, and fisheries decreased marginally from 22 per cent to 21 per cent, the share of manufacturing increased from 10 per cent to 12 per cent, and the share of services increased from 44 per cent to 45 per cent.[13]

Sub-Saharan Africa, where most of the LDCs are located, have the worst state of hunger in the world. The Global Hunger Index 2022 indicates that 21 countries in Africa are classified as having 'serious' hunger, seven are facing an 'alarming' rate of hunger, while one country is facing an 'extremely alarming' hunger situation.[14] Meanwhile, three countries in Asia and the Caribbean are categorized as having 'serious' hunger with one in the 'alarming' situation category.[15] The market based neo-liberal paradigm, closely linked to interests of powerful enterprises, asserts that hunger and malnutrition can be addressed through increased food production and the liberalization of food trade. It tries to impress the success or potential success of this approach by reducing the right to food to 'right to calories', often in the form of food aid or assistance, neglects where and by whom food is produced, and the social and cultural dimension of food, with the additional dimension of climate change exacerbating the situation of food security in the already vulnerable LDCs.

Although the share of LDCs in world exports almost doubled in 15 years, from 0.6 per cent in 2000 to 1.1 per cent in 2014, it remained less than 1 per cent thereafter for three consecutive years.[16] In 2020, merchandise exports of least developed countries fell further by another 9.1 per cent, compared to the global average decline of 7.7 per cent, thanks to the COVID-19 pandemic (DPoA; Paragraph 159).[17] In addition, LDCs accounted only 1 per cent of global trade in 2020.[18] These statistics highlight the fact that though globalisation has rapidly boosted trade among countries globally, LDCs have not been able to proportionately benefit from it. Therefore, the target, set in the Istanbul Programme of Action (IPoA) and the Sustainable Development Goal 17.11, to double the share of global exports from Least Developed Countries (2 per cent target) remained largely unmet.

LDCs' twin problems associated with export are: i) dependence on primary commodities, and ii) concentration of exports on a limited number of commodity products. Commodity dependence rose in 23 LDCs between the two implementation periods 2001-2010 and 2011-2014.[19] Besides, LDC exports remained highly concentrated with almost 70 per cent of merchandise exports depending on three main products in 2014. There are only few cases of exports of products with higher value addition and produced through the use of more advanced technology. Additionally, commodity dependent LDCs have also been historically most susceptible to civil conflict.[20]

There is a high degree of gender discrimination and inequality in LDCs as reflected by women's overrepresentation in low paid jobs, less access to social protection, and lower pay than men for work of equal value. In 2020, the United Nations Development Programme's (UNDP) Gender Inequality Index (GII) was 0.562 for LDCs, compared with 0.487 for developing countries and 0.185 for OECD countries.[21] In the same year, the global average was 0.465, indicating that the gender gap in LDCs is worse than the global median.[22] GII data reflect that LDCs are not only characterized by constraints, such as low per capita income, low level of human development, and socio-economic vulnerability, but that all of these constraints disproportionately affect more women than men.

LDCs have been hit hard by the COVID-19 pandemic. Social and economic losses accompanied a huge loss of lives. Though the efficacy of vaccination has been proven, the COVID-19 vaccination rates among LDCs remained low – as of mid-2021, only 2 per cent of the population in LDCs have been vaccinated (albeit with significant variation across countries), as compared to 41 per cent in developed countries.[23] Barriers against the Global South to access health technology has worsened health inequality and the dismal level of vaccination rates on average across LDCs is a great indication of the devastating consequences of protectionism guarding essential medical technology from the world's most vulnerable. This is yet another example of exogenous policy that negatively impacts LDCs. As Winnie Byanyima, head of UNAIDS said, "The World Trade Organization rules allow lifesaving medications to be traded in the same way we could trade luxury goods. They allow pharmaceutical companies to set the price wherever they want, hoard their technologies and reap billions at the cost of lives."[24] Even before the onset of COVID-19, there has historically been underinvestment in health. For instance, an estimated 2 million children died in LDCs, mostly from preventable causes, while only nine of the 37 LDCs for which data exist provide health care for more than 20 per cent of the population.[25]

Official Development Assistance (ODA) to LDCs did not meet the threshold of at least 0.15-0.20 per cent of OECD Development

Assistance Committee (DAC) countries' GNI contribution, as committed in the IPoA. While ODA to the most vulnerable countries has grown since the pandemic, this increase has been driven overwhelmingly by loans. According to the Development Cooperation Report 2023, the total external debt service of Least Developed Countries has more than tripled in the last ten years and is projected to reach USD 43 billion in 2022.[26] Over the past two decades, debt service has been increasing in LDCs while government revenue and official development assistance have been declining.[27] Such condition raises the risk of debt distress, undermining the ability of countries to invest in long-term sustainable development and resilience.

Although LDCs contribute little to the phenomenon of global warming, they continue to suffer devastating impacts from human-induced climate hazards, including tropical cyclones, hurricanes, heavy precipitation, landslides, flooding, drought, and heat waves.[28] Among the more than 120 countries reporting across all Sendai Framework for Disaster Reduction targets for disaster losses in 2019, LDCs accounted for 48 per cent of livelihood disruptions, 40 per cent of deaths, 17 per cent of economic losses, and 14 per cent of infrastructure damage, although their combined GDP amounted to only 1 per cent of the total and their combined populations were only 18 per cent of the global population (DPoA; Paragraph 198).[29] However, even when vulnerable countries are facing extreme climate disasters, the available financial mechanisms – Green Climate Fund, Loss and Damage Fund, National Adaptation Plan Global Network, and other climate-related funds under the Global Environment Facility, including the Least Developed Countries Fund, the Special Climate Change Fund and the Adaptation Fund – are too underfunded to effectively support climate action in LDCs.

Therefore, despite some progress made in several areas since the LDC-IV Conference in Istanbul, Turkey in 2011, major structural challenges and constraints of the LDCs, including but not limited to narrow production and export bases, stagnant trade and investment flows, diminishing productivity growth, widespread poverty, hunger and malnutrition, debt-distress-inducing ODA flows, climate disasters and lack of access to climate finance, limited access to quality and inclusive education and lifelong learning opportunities, inequality in access to life-saving drugs and vaccines, and underdeveloped human capital, remained largely unaddressed. The COVID-19 pandemic further brought a new burden to LDCs, with health as well as social and economic crises risking reversal of limited gains made during the implementation period of the Istanbul programme of Action (IPoA).

Even after 40 years of programmes of action by the United Nations and development partners, the stark reality is that those programmes have utterly failed to bring any significant improvement in the living standard of the 14 per cent of global population living in LDCs. These countries are still marginalized in the global economy. There is no significant structural transformation of their economies and they remain highly vulnerable to external shocks. Their social development indicators are at the bottom of the Human Development Index. Poverty remains widespread. This implies that LDCs are at a critical juncture and a "business as usual" approach, even after five decades of UN-led processes, will lead to an impasse and further marginalize LDCs in the global economy.

While the global governance framework is important, the process should have LDC-ownership and self-determination of priority areas and implementation process should be an important component to take forward the Doha programme of Action (DPoA; Paragraph 16). While the DPoA rightly calls for a greater role of LDCs in global governance, this call equally applies to all the countries in the Global South. Therefore, LDCs and other countries from the Global South should work hand in hand to defend their legitimate right to have all the space they deserve in global governance.

In other words, there is need for a new framework for international cooperation for the LDCs, defined as a new set of formal and informal institutions, rules and norms, including incentives, standards, and processes, which would shape international economic relations in a way that is conducive to sustained and inclusive development in LDCs. This includes reforms of the global economic regimes which directly affect development and poverty reduction in LDCs, as well as the design of a new generation of special international support mechanisms for the LDCs that would address their specific structural constraints and vulnerabilities. South-South cooperation should be one of the pillars of the new international cooperation framework.

But even if a new framework for international cooperation is put in place, this will only be supplemental to LDCs' own efforts. Indeed, the lessons learned from four decades of failed policies and from the COVID-19 pandemic point to the necessity for these countries to take their destiny into their own hands. LDC governments are to take responsibility for their own development and move away from failed neoliberal policies and embrace a different development paradigm that can put them on the path to structural economic and social transformation.

Box 1 The Doha Programme of Action for LDCs for the Decade 2022-2031

The Doha Programme of Action for the Least Developed Countries for the decade 2022-2031 (DPoA) was adopted during the first part of the LDC5 Conference on March 17, 2022, and endorsed by the UN General Assembly on April 1, 2022. The second part of the conference that is taking place in Doha from 5 to 9 March 2023, will see the gathering of representatives from government, civil society, and the private sector, and will focus on the political declaration that will accompany the DPoA.

The DPoA includes six focus areas: 1) investing in people in Least Developed Countries; eradicating poverty and building capacity to leave no one behind; 2) leveraging the power of science, technology, and innovation to fight against multidimensional vulnerabilities and to achieve the Sustainable Development Goals (SDGs); 3) supporting structural transformation as a driver of prosperity; 4) enhancing international trade of Least Developed Countries and regional integration; 5) addressing climate change, environmental degradation, recovering from the COVID-19 pandemic, and building resilience against future shocks for risk-informed sustainable development; and 6) mobilizing international solidarity, reinvigorated global partnerships, and innovative tools: a march towards sustainable graduation. Under each focus area, the document outlines main challenges, identifies key targets, and proposes an agenda for action. The document has identified nearly 100 targets and proposed more than 160 actions on the part of LDC governments, their development partners, and the United Nations system. The two prominent objectives of the DPoA include: an annual growth of rate 7 per cent in LDCs and the graduation of 15 more LDCs between 2022 and 2031.

2. CIVIL SOCIETY PERSPECTIVES ON THEMATIC ISSUES

2.1 Poverty and Inequality

The final year of the Agenda for Sustainable Development, 2030, coincides with the concluding year of the decade of the new programme of action for the LDCs, Doha Programme of Action (DPoA), 2022-2031. As the DPoA also highlights the most unprecedented circumstances where poverty, hunger, malnutrition, inequality, human rights violations, and digital divides are growing; the development progress in the LDCs is frequently challenged and even reversed due to multiple crises. Globally, 97 million more people were pushed into poverty as a result of COVID-19. Three to four years of progress in ending extreme poverty is estimated to have been lost according to a report by World Relief.[30] Similarly, the coronavirus pandemic pushed 4.7 million people in Southeast Asia into extreme poverty in 2021, as 9.3 million jobs disappeared, compared with a baseline no-COVID scenario, according to a new Asian Development Bank (ADB) report.[31] In Africa, estimates made based on the current rate of progress towards the eradication of poverty, the goal could not be achieved even by 2043. Efforts have to be made to quadruple the current rate to achieve this goal by 2030 in Africa.[32]

The rise in income and wealth inequalities within countries, among countries, and regions is rampant. According to an Oxfam report on income and wealth inequality, billionaires' wealth has risen more in the first 24 months of COVID-19 than in the preceding 23 years combined, up from 4.4 per cent in 2000.[33] The total wealth of the world's billionaires is now equivalent to 13.9 per cent of the global GDP. On one hand, the pandemic created 40 new pharma billionaires[34] making their fortunes due to the high demand for their products and services but at the same time, more than half a billion people were pushed into extreme poverty due to the financial consequences of out-of-pocket expenditure on health services.[35] As the World Inequality Report 2022 reveals, the richest 10 per cent of the global population currently takes 52 per cent of global income, whereas the poorest half of the population earns 8.5 per cent of it. Similarly, the poorest half of the global population barely owns any wealth at all, possessing just 2 per cent of the total. In contrast, the richest 10 per cent of the global population owns 76 per cent of all wealth.[36]

2.2 Social Security

While socioeconomic recovery remains uncertain after the outbreak of the COVID-19 pandemic, the issue of social security has become more crucial than ever as the majority of the people are hard-hit by the adverse impacts that emerged due to a poor state of social protection in LDCs. As of 2020, only 46.9 per cent of the global population was effectively covered by at least one social protection benefit, while the remaining 53.1 per cent – as many as 4.1 billion people – were left wholly unprotected. Only 30.6 per cent of the working-age population are legally covered by comprehensive social security systems that include a full range of benefits, from child and family benefits to old-age pensions, with women's coverage lagging behind men's by a substantial 8 percentage points. This implies that a vast majority of the working-age population – 69.4 per cent, or 4 billion people – are only partially protected or not protected at all. However, the low- and middle-income countries have a more dismal state of social security coverage compared to the global average. There are significant inequalities across and within regions, with coverage rates in Europe and Central Asia (83.9 per cent) and the Americas (64.3 per cent) above the global average, while Asia and the Pacific (44.1 per cent), the Arab States (40.0 per cent) and Africa (17.4 per cent) have far more marked coverage gaps. Countries' spending on social protection also varies significantly. High-income countries spend on average 16.4 per cent, or twice as much as upper-middle-income countries (which spend 8 per cent), six times as much as lower-middle-income countries (2.5 per cent), and 15 times as much as low-income countries (1.1 per cent).[37]

Nearly 90 per cent of all employment in LDCs is informal, which is a widespread phenomenon.[38] Today, the informal sector employs more than six out of 10 workers and eight out of 10 economic units worldwide. In LDCs, informal employment accounts for an average of 88.9 per cent of total employment and exceeds 90 per cent in more than one-third of LDC countries. Social protection is both a social and an economic imperative because it is crucial to creating long-lasting human and productive capacity and eradicating poverty. Well-designed systems of universal social protection support domestic consumption and incomes, ensure access to healthcare, develop human potential, and boost productivity. The majority of people in LDCs are not covered by social security programs, and they have little ability to manage the economic and social risks brought on, among other things, by sickness, accidents, unemployment, maternity, disability, and old age.

2.3 Aid, Debt Sustainability, and Tax Justice

LDCs have been facing the problem of current account deficit with revenues raised domestically through taxes being inadequate to finance development needs. Current account deficit on average stands at 5.6 per cent of GDP among LDCs as in 2020.[39] While remittance does help to absorb some of the imminent shocks in the economy, for instance, in the form of extending the dollar reserve or preventing the Balance of Payment (BoP) crisis, injection of external capital in the form of foreign aid, concessional loans (at interest rates that do not worsen the indebtedness), and Foreign Direct Investment (FDI), is essential for them to extend their productive capacity. Given the existing economic conditions in the LDCs, FDI can be a tool to spur technology, assist human capital formation, help create a more competitive business environment, and help LDCs with trade integration. However, it is imperative that FDI is also socially responsible and needs to contribute to the alleviation of the poorest segment of LDC society. FDI often also carry numerous infrastructure related conditions through which it can be optimally utilized. When these infrastructures are not available in many LDCs, they are unable to make optimum use of FDI. It is critical that any FDI and enterprises that are supported by FDI need to have positive linkages with local communities, and at the same time, it is critical that any FDI does not infringe upon the sovereignty of any country. Also, effects on the environment, including investment in extractive and heavy industries and possible social disruptions, also need to be duly considered.

Official Development Assistance (ODA) remains a critical source of external finance for LDCs because of their structural constraints and their lack of access to other financial flows, including the Foreign Direct Investment (FDI) and export revenues. For instance, ODA played a major role in the graduation of all six of the countries that have graduated from LDC status so far. Given their small populations, four of the countries that graduated by 2015, namely Botswana, Cape Verde, the Maldives, and Samoa, had relatively large ODA receipts per capita, averaging around 3.3 and 9 times the LDC average in 2005–2014.[40] In the case of Equatorial Guinea which graduated in 2017, every additional million dollars [in USD] of ODA corresponded with an incremental 1.3 per cent growth in GDP between the years 1985 to 1995.[41]

However, the volume of ODA stagnated since 2013 with some increment observed in 2020, when the COVID-19 related assistance, including vaccine donations and pandemic related activities, was accounted for. Although the donor countries committed to the ODA levels of 0.7 per cent of their Gross National Income (GNI) in general and 0.15-0.20 per cent of their GNI specifically to the LDCs within the timeframe of the 2030 Agenda, the countries in the Development Assistance Committee (DAC), barring a few, have not been fulfilling their commitments. For instance, only a handful of international donors, namely Denmark, Luxembourg, Germany, Norway, Sweden and the United Kingdom reached the longstanding UN target of 0.7 per cent ODA/GNI in 2016. Prior to the COVID-19 outbreak, the ODA by developed countries reached 0.31 per cent of the GNI against the 0.7 per cent commitment in general [following the Sustainable Development Goal (SDG) target 17.2] with LDCs receiving only USD 33 billion.[42] Had DAC donors met the LDC-specific target of providing 0.15-0.20 per cent of their GNI as ODAs to the LDCs, LDCs would have received an extra USD 32-58 billion per year.[43]

With climate disasters disproportionately impacting LDC economies, climate-related finance is at the centre-stage of development assistance. However, climate-related financing is being used to further increased indebtedness among LDCs. Although the climate-related development finance to LDCs increased from USD 2.4 billion in 2010 to USD 21 billion in 2020, climate finance is increasingly made available to LDCs in the form of loans, which will increase the already developmentally burdensome debt obligation among LDCs.[44] Amidst the fact that LDCs contribute the least to the phenomenon of global warming, instead of being compensated for the loss and damage caused by mostly the actions of developed countries, they are provided with debt obligations, which further put the countries under the pressure of debt-crisis.

Likewise, while 35 out of 46 LDCs are members of the WTO, more than USD 100 billion has been disbursed over the years to the LDCs as Aid for Trade (AfT) to support their infrastructure, build productive capacity, and enhance trade policy and regulations. However, the commitment of developed countries towards AfT has also fallen by 19 per cent to USD 16.6 billion in 2019 after reaching a peak of USD 20 billion in 2018 (DPoA; Paragraph 172).[45]

Several shortcomings are observed with the current aid architecture that undermine the effectiveness of aid. Some of the important issues include aid coordination, national ownership, and alignment with development strategies, which warrant critical attention with implications for aid effectiveness. There is a need to rethink the current aid allocations and modalities. Despite much empirical evidence that direct budget supports are more effective, much aid is channelized via other modalities, such as technical assistance and project-type interventions, that have a mixed record in terms of development results. The principles of country ownership, harmonization, transparency, and untied aids should be strictly followed to improve aid effectiveness, in accordance with the Paris Declaration on Aid Effectiveness, the Accra Agenda for Action (AAA), and the Busan Partnership for Effective Development Cooperation. However, progress towards the adoption of principles reiterated in the consecutive aid effectiveness agreements has been mixed. Despite the commitments at global platforms to improve country ownership, aid recipient LDCs are often the least involved and least influential stakeholder group in multilateral policy discussions or reform efforts. In addition, ODAs, while it should take the form of grants, have been provided in the form of concessional loans. More than 25 per cent of total ODAs are provided in the form of concessional loans.[46]

In addition, debt stock is rising at an extraordinary rate and with the recent COVID-19 shock, countries are pushed into debt distress. According to the debt sustainability assessments by the IMF and the World Bank, 16 LDCs, as of September 2020, were deemed to be at high risk of external debt distress, with four in debt distress (DPoA; Paragraph 263).[47] Total debt service increased from an average of 5 per cent of exports of goods and services in 2011 to 13 per cent in 2019 (DPoA; Paragraph 263).[48] As committed in the DPoA (Paragraph 264), developed countries and development partners, including the G20 and Paris Club, should assist debt-ridden LDCs in forms of debt relief, debt restructuring, and debt management, with these measures being isolated and distinct from the ODA resources dedicated for the LDCs. In addition, the odious or illegitimate debts, as recognized by the debt-audit conducted with the participation of civil society as one of the important stakeholders, should be cancelled.

Amidst the realization that LDCs are highly dependent on external source of financing, it is crucial that dependency on aid and reliance on debt are to be reduced. Instead, domestic revenue should be raised further by "broadening the tax base and enhancing compliance and transparency, including through the digitization of tax systems" to meet the DPoA target of increasing tax revenue as a proportion of GDP to at least 15 per cent in all LDCs (DPoA; Paragraph 237).[49] Currently, the median tax-to-GDP ratio in LDCs stands at 16.2 per cent with rates lower than 10 per cent in several of them (DPoA; Paragraph 237).[50]

Besides broadening the tax base, it is equally important to curb illicit financial flows, which have deprived LDCs of much-needed capital for development. It is estimated that in 2015, illicit financial flows averaged 5 per cent of the GDP of LDCs and 36 per cent of their tax revenue.[51] While the current G20/OECD-led Inclusive Framework on Base Erosion and Profit Shifting (BEPS) (Pillar 1 and 2 schemes) – commonly known as the Global Tax Deal – have attempted to counter the problem by setting the minimum corporate tax rate at 15 per cent and extending the taxing rights to the countries where the goods and services are sold, the deal under the authority of the OECD is less participatory and it is important that the participation of Low and Low Middle Income Countries (LMICs), including LDCs, should be ensured. Hence, there is a need for a UN-led tax body to curb the problem of illicit financial flows.

Thus, while LDCs should prioritize developing their own domestic revenue base for development, external financial flows, in the form of ODA, FDI, and remittance, are still required to accelerate the development process, which has lagged far behind desired projections. The DAC countries should fulfil their commitment to provide at least 0.2 per cent of their GNI to the LDCs as ODA. However, it is important that the contribution of ODA has the component of country-ownership with sound linkage with the country-specific needs. At the same time, while the tax base should be broadened, there is an urgent need to counter the problem of illicit financial flows and for this purpose, global cooperation is a necessity.

2.4 Fair Trade, Not Free Trade

Although LDCs' share in world exports almost doubled in 15 years, from 0.6 per cent in 2000 to 1.1 per cent in 2014, it remained less than 1 per cent thereafter for three consecutive years.[52] In 2020, merchandise exports of Least Developed Countries further fell by 9.1 per cent, compared to the global average decline of 7.7 per cent, due to the COVID-19 pandemic (DPoA; Paragraph 159).[53] In addition, LDCs accounted for only 1 per cent of global trade in 2020.[54] These statistics highlight the fact that though globalisation has rapidly boosted trade among countries globally, LDCs have not been able to benefit proportionately from it. Therefore, the target, set in the Istanbul Programme of Action (IPoA) and the Sustainable Development Goal 17.11, to double the share of global exports from the least developed countries (2 per cent target) remain largely unmet.

Least Developed Countries' low participation in global trade calls for fair trade rules and increased market access for products from LDCs to ensure that LDCs become important contributors of manufactured goods to global trade. Out of 46 LDCs, 35 have become members of WTO while eight more LDCs are negotiating to join the WTO. Within the WTO framework, LDCs have been facing several bottlenecks which pose not only constraints to their access to the global market but also pose a threat to their domestic industries. As a global body governing trade, the World Trade Organisation (WTO) has a critical role to play in ensuring a level playing field for LDCs so that trade can become an engine for poverty reduction. The need to provide special consideration to LDCs by the WTO becomes more crucial at a time when countries are less able to govern their own trade policies which are increasingly shaped by global, regional, and bilateral agreements.

Enhancing international trade and strengthening regional integration is one of the six focus areas of the Doha Programme of Action for the LDCs for the Decade 2021-2031(DPoA). The DPoA (Paragraph 163) and the 2030 Agenda for Sustainable Development (Target 17.11) both aim to increase the LDCs' share of global trade with the aim of doubling LDCs' share in global exports by the end of the decade.

Over time, trade restrictive effects of Non-Tariff Barriers (NTBs) have become more prominent than tariff barriers. Products from LDCs have been facing export restrictions due to different NTBs such as Rules of Origin (RoO), and Sanitary and Phytosanitary Measures (SPS). Having to adhere to such NTBs, LDCs face increased compliance costs, which in turn reduces the competitiveness of their products and automatically becomes a barrier for trade as LDCs have weaker institutional frameworks for quality assurance and standard setting. Stringent rules of origin are likely to be burdensome mainly in the manufacturing sector (especially apparel and clothing), and in phases of production in the middle of the value chain.

Domestic subsidies provided by developed and developing countries on some specific products also hamper LDCs' export potential. One of the adverse effects of domestic subsidies is seen in cotton exports from West African LDCs. Large cotton subsidies, mainly in the United States, the EU, and China, adversely contribute to downward pressure on the global price of cotton. However, at multilateral platform, no real advances have been made on the issue of cotton trade, though the issue has repeatedly been raised by the four cotton-exporting LDCs, namely Benin, Burkina Faso, Chad, and Mali – collectively known as the Cotton 4 or C-4.

The Trade-Related Aspects of Intellectual Property Rights (TRIPS), which came into effect in 1995, set high standards for the protection of intellectual property, including seeds and pharmaceuticals. In LDCs, this has an adverse impact on public health and access to medicines. The monopoly of pharmaceutical companies will keep the prices of medicines high causing people in LDCs, mainly in Africa, unable to afford them to fight diseases such as malaria, monkeypox, tuberculosis, and HIV/AIDS. There has been some respite that the exemption period for the implementation of the TRIPS agreement in case of pharmaceutical products was renewed until 1 January 2033 or until graduation, whichever is earlier. LDCs have, however, failed to secure the removal of time-bound transition period as well as the continuation of transition period for some limited years post-graduation (See the detailed discussion on TRIPS in the Section "The COVID-19 Pandemic, TRIPS, and LDCs").

There are 139 Special and Differential Treatment (S&DT) provisions benefiting developing countries (including LDCs) in the WTO agreements, of which 14 are specific to LDCs. Use of preferences under S&DT is often limited by supply-side constraints; trade-policy related obstacles such as stringent rules of origin, low preference margins, product coverage and non-tariff barriers; lack of awareness; and the unpredictability of preferences due to their discretionary nature. Assistance to LDCs is, however, committed only in "best endeavour" language rather than being enforceable obligations which allows support to be withdrawn at any time which adds an element of unpredictability.

In order to enhance export from LDCs, a 100 per cent of the products originating from LDCs should be covered by duty-free quota-free (DFQF) schemes continuing the spirit of the 2001 Doha Ministerial Declaration and the Hong Kong Declaration. Given the high concentration of LDCs' exports on a few products, exclusion of even a few sensitive products in which LDCs have export capacity, such as clothing, textiles, and some agricultural products, entails huge loss of market for LDCs. According to Bouet and Laborde (2011), raising DFQF coverage in the same set of preference-granting countries from the current 97 per cent to 100 per cent would nearly double the export opportunities available to LDCs.[55]

Furthermore, Special Safeguard Mechanism (SSM) needs to be enacted to tackle the surge in imports or fall in prices of agricultural products with the purpose of protecting the livelihoods of domestic farmers in LDCs. Through this provision, LDCs and developing countries will be temporarily allowed to levy import duties or tariffs when the import of agricultural products is so high that it undermines domestic agriculture.

In the WTO Sixth Ministerial Council in 2005, Enhanced Integrated Framework (EIF), under the Aid for Trade (AfT) initiative, was established to support LDCs in using trade for poverty reduction, inclusive growth, and sustainable development. Development partners must increase their pledge for the EIF and the AfT with the realisation that trade can be an important vehicle for poverty alleviation in LDCs (Details on AfT have been discussed under the Section "Aid, Debt Sustainability, and Tax Justice").

It is worth noting that there has been some significant progress in terms of preferential market access on a unilateral basis with the US-led African Growth and Opportunity Act (AGOA) as such an example. At the same time, developed countries have generally been providing preferential market access to LDCs through the Generalised System of Preferences (GSP) or through regional and bilateral agreements, while many developing countries have adopted dedicated schemes for this purpose. However, it is imperative that such unilateral, bilateral, and regional initiatives be made more comprehensive, that should include maximum number of products and provisions for wider market access for LDCs.

With the purpose of enhancing productive capacity and improving market access conditions, LDCs should be provided better terms of trade, more access to the world market, a stable price of commodities, and better transfer of appropriate technology. While acknowledging the benefits provided by trade-related International Support Measures (ISMs), the support from developed countries and development partners remains largely inadequate vis-á-vis the Sustainable Development Goal target 17.11 of doubling LDCs' share of global exports by 2020. Hence, development partners and multilateral trade organisations in this decade (2021-2030) must make important decisions on LDC-specific issues in line with the DPoA, with special focus on providing i) 100 per cent DFQF market access; ii) simpler preferential rules of origin; iii) meaningful services waiver; iv) end to unjust domestic support and subsidies by developed and developing countries; v) elimination of arbitrary or unjustified non-tariff barriers; and vi) timely implementation of past LDC-relevant decisions reached at previous Ministerial Conferences. Most important, the decisions in favour of LDCs should be made legally binding and not limited to "best endeavour" language.

2.5 Climate Change

LDCs are disproportionately impacted by climate change. LDCs' median monthly temperature in 2021 was 1.3°C higher than that during the period between 1951 and 1980.[56] Recognizing the disproportionate impacts of climate change, the Doha Programme of Action (DPoA) has included addressing climate change (alongside recovering from COVID-19 and building resilience against future shocks) as one of six priority areas for LDCs for the forthcoming decade (2022-2031).

LDCs are more exposed to climate disasters and face larger impacts. For example, droughts tend to hit African LDCs disproportionately, especially in the Sahelian and Horn of Africa regions. Conversely, island LDCs (as well as coastal countries such as Bangladesh and Mozambique) are typically more vulnerable to storms. The 46 LDCs suffered roughly 67 weather, climate, and water-related hazards per year on average over the period 2017-2021, affecting approximately 25 million people.[57] In addition, LDCs have limited economic, institutional, scientific, and technical capacities to manage and adapt to shocks. The socioeconomic impacts of climate shocks are the highest for the LDCs since any form of insurance against loss caused by disasters is virtually absent and the people have to rely on their own funds for coping against loss and financing subsequent reconstruction. Increase in global mean temperature is also causing change in cropping patterns, increase in pests, and loss in agricultural productivity, which have adverse implications on food security.[58] Meanwhile, sea level rise is threatening the sheer existence of Small Island Developing States (SIDS) (which also includes several LDCs) and low-lying coastal cities in countries such as Bangladesh, Djibouti, Liberia, and Mauritania. Additionally, LDCs like Nepal and Bhutan are also facing glacier melt and glacier lakes outburst floods (GLOF).

The Intergovernmental Panel on Climate Change (IPCC), in its various assessment reports (ARs), has emphasised that developed countries should cut their greenhouse gas (GHG) emissions by 80-90 per cent from 1990 levels and that global emissions should peak by 2025, fall by 43 per cent below their 2019 levels by 2030, and 84 per cent by 2050, which, if left unachieved, would result in a global warming of 3.2°C by 2100 – essentially, an unliveable world.[59] Echoing the IPCC's recommendations, the DPoA recognizes the need for "rapid, deep and sustained reductions in global greenhouse gas emissions" (Paragraph 221) and acceleration of efforts towards the "phasing down of unabated coal power and phasing out of inefficient fossil fuel subsidies" while providing targeted support to vulnerable countries (Paragraph 138). In this regard, it is expected that large industrialized countries which historically caused the climate crisis in the first place should make sincere efforts towards limiting the carbon emission to "well below 1.5°C" as outlined in the Paris accord. Ironically, while the countries which have already industrialized using fossils fuels exhort much poorer countries to do more to reduce greenhouse-gas emissions, they themselves are reviving coal-fired power plants amidst the energy crisis caused by the Russia-Ukraine war. In addition, these governments are actively supporting the use of dirty fuels by heavily subsidizing their fossil-fuel industries. The governments across the world, that include the US, Russia, and European countries, provided subsidies worth USD 5.9 trillion to fossil fuel industries in 2020 alone.[60]

Developed countries have repeatedly committed in the series of United Nations Framework Convention on Climate Change (UNFCCC)'s Conferences of the Parties (COP) to provide finance and technology to developing countries to enable them to adopt low carbon pathways, help them with adaptation strategies and transition away from fossil fuels. While the Report of the UN Secretary General claims "modest improvements in adaptation finance for the Least Developed Countries through several multilateral financial mechanisms"[61], the developed countries have not met their promise, under the UNFCCC framework and Paris Agreement, to deliver the committed climate finance of up to USD 100 billion a year from 2015 to 2025. They have reneged on even such relatively meagre and inadequate commitments. As a result, the IPCC, in its sixth AR, writes, "The tracked financial flows fall short of the levels needed to achieve mitigation goals across all sectors and regions. The challenge of closing gaps is largest in developing countries as a whole."[62] The DPoA also *notes with concern* that the current provision of climate finance for adaptation remains insufficient" (Paragraph 220; emphasis added). Indeed, the funds available for the mitigation efforts of the LDCs are meagre. For instance, the maximum amount each LDC can access from the LDC Fund under the Global Environment Facility has reached only USD 50 million while the Fund itself received only USD 95.3 million in new pledges in 2018.[63] Likewise, Green Climate Fund received funding proposals totalling only USD 2.8 billion until January 2019.[64]

While Paragraph 137 of the DPoA gives emphasis on the substantial increase in technology sharing for increased clean and renewable energy options in the LDCs, we also need a critical assessment of the same, which is heavily based on the assumption that unproven technologies and mechanisms can offset continued greenhouse gas (GHG) emissions by removing carbon dioxide from the atmosphere. Instead, there is a need to radically reduce emissions to Real Zero, which requires rapid and drastic cuts in emissions, challenging economic models, and powerful interests that are at the root of the climate crisis.

The focus of the Doha Programme of Action has been more on adaptation and mitigation efforts while the call of the civil society in the Global South to make the developed countries accountable towards their historical responsibility in the form of creation of 'loss and damage fund' (and adequately funding it) received little attention (except for a mere mention in Paragraph 218). While the decision to create a loss and damage (L&D) fund during the 27th edition of the Conference of the Parties (COP27) of the UNFCCC is a welcome move on the part of the wealthy countries to fulfil their historical responsibilities in the form of climate reparations for many vulnerable low-income nations, there is little clarity on the intricacies of the fund, including quantum, sources, and operating procedures of the fund. Importantly, looking at the history of creation of different kinds of climate-related funds and not meeting the committed targets, it is doubtful whether rich nations would fill this new fund with anything near the fair share which is needed to compensate for the damage caused.

It is thus critical that concrete action be taken, especially from the rich and industrialized countries, that not only reinforces their own mitigation commitment but can also inspire developing countries to further their mitigation actions and report on these actions, following their respective Nationally Determined Contributions (NDCs). Amidst a lack of resources and capacity on the part of the LDCs to tackle the impacts of climate change, it is imperative that adequate and practical support is mobilized for LDCs' adaptation efforts. Developed countries need to provide sufficient finance for LDCs, as they rightfully deserve, to prepare themselves to adapt to, and build resilience to cope with the adverse effects of climate change. It is critical that the available financial mechanisms – Green Climate Fund, Loss and Damage Fund, National Adaptation Plan Global Network, and other climate-related funds under the Global Environment Facility, including the Least Developed Countries Fund, the Special Climate Change Fund, and the Adaptation Fund – are provided with substantial resources to support climate action in LDCs. It is of utmost importance that the finance is new, additional, sustainable as well as predictable. The operating entities of such financial mechanisms must ensure country ownership, facilitate direct access, and provide support while prioritizing the most vulnerable countries, particularly LDCs, to develop quality projects. Finally, the Global North needs to acknowledge its historical responsibility and equity under the UNFCCC and provide debt-free climate finance for LDCs to adapt and build resilience against the impacts of climate change.

2.6 The COVID-19 Pandemic, TRIPS, and LDCs

LDCs are more vulnerable to shocks than other developing countries, as reflected in the Economic and Environmental Vulnerability Index (EVI), which indicates that they are 30 per cent more vulnerable than other developing countries.[65] The COVID-19 pandemic further exposed the decades of underinvestment in health care system in LDCs. For instance, in 31 out of 46 LDCs for which data is readily available, the average density of medical doctors in LDCs is two medical doctors per 100,000 inhabitants or lower, as opposed to an average of 14 in other developing countries (ODCs).[66] Low resilience of LDCs is also reflected in extremely low COVID-19 vaccination rates that LDCs have achieved – as of mid-2021, only 2 per cent of the population have been vaccinated, as compared to 41 per cent in developed countries.[67] However, there is a variation in the degree of vaccination across LDCs – some LDCs, such as Nepal and Bhutan, have single-dose vaccination coverage of more than 90 per cent of the population while Madagascar, Yemen, and Senegal have 5.49 per cent, 2.44 per cent, and 8.84 per cent respectively.[68]

A study by Imperial College London found that COVID-19 vaccination prevented a significant number of deaths – an estimated 19.8 million deaths between December 2020 and December 2021, out of a total of 31.4 million potential deaths that would have occurred without vaccination, which is a reduction of 63 per cent.[69] Such efficacy of the COVID-19 vaccines indicates that a lot more lives could have been saved if the vaccines had more extensive coverage, especially across low-income countries. Disregarding the lives that could have been saved, wealthy countries stockpiled vaccines, in coordination with big pharma companies, placing the lives of their residents first, thus hampering the efficient supply of vaccines to the other parts of the world. The study by Imperial College London shows that 599,300 additional deaths could have been averted, mostly in low and lower-middle income countries, if all countries had reached 40 per cent vaccination rate with two or more doses by the end of 2021.[70]

Vaccine inequity during the COVID-19 pandemic is one of the representative cases of the age-long disparity in global distribution of life-saving drugs and pharmaceutical products. This highlights the necessity of TRIPS waiver for developing countries, including LDCs, that would remove patents and certain other intellectual property (IP) protections associated with vaccines, treatments, and tests, among other life-saving drugs. In other words, this would mean that countries could self-manufacture or have more convenient access to lower-cost and life-saving medical tools.

The Doha Programme of Action (DPoA) reaffirmed "the decision of the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS) on the extension of the transition period under article 66.1 of the TRIPS Agreement for least developed countries for certain obligations with respect to pharmaceutical products until 1 January, 2033 and the decision of the Council on the transition period under article 66.1 of the TRIPS Agreement until 1 July, 2034, and the commitment of World Trade Organization (WTO) developed country members to providing incentives to enterprises and institutions in their territories for the purposes of promoting and encouraging technology transfer to Least Developed Countries, as obligated under article 66.2 of the TRIPS Agreement." (Paragraph 64; DPoA) However, this is a much-compromised WTO agreement against what LDCs have been demanding. LDCs call not for a time-bound extension as now, when it is extended up to 2033 (under article 66.1 of the TRIPS Agreement) but one that would persist as long as one is an LDC and for a period of twelve years after graduation.[71] For this purpose, LDC Watch, Development Alternatives with Women for a New Era (DAWN), Social Watch, Third World Network (TWN), and Asian Peoples' Movement on Debt and Development (APMDD) submitted a letter to the LDC Chair (Malawi) on 9 December, 2022 underlining that "an urgent decision on the waiver is long overdue" and "warranted especially given the evolving COVID-19 situation of new variants and consequent additional burden to fight the pandemic in LDCs".[72] On the contrary, DPoA lacks any commitment on the part of developed countries and development parties in response to the demands put forward by LDC civil societies, and only reiterates WTO's 12th Ministerial Conference decision that the TRIPS waiver extension with respect to pharmaceutical products is until 1 January, 2033 or until graduation, whichever is earlier (Paragraph 178). LDCs have thus failed to secure the removal of time-bound transition period as well as the continuation of transition period post-graduation under the TRIPS agreement.[73]

It is equally important that the manufacturing capacity of pharmaceutical products be built among LDCs since it is generally observed that the countries who manufactured vaccines themselves initiated vaccination earlier, which in turn saved more lives.[74] Concentrating vaccine manufacturing in just a few countries leaves low-income countries dependent on charity and solidarity, and ultimately leaves them at the back of the queue. Patent protection and intellectual property regime prevented sharing of vaccine-related technology even when millions of lives could have been saved with equitable technology-sharing. For instance, patent protection restricted sharing of technology of the Pfizer-BioNTech and Moderna vaccines manufactured in developed countries, that could have facilitated production of vaccines in developing world. Vaccine donations promised by high-income countries to low-income countries, for instance in the form of COVAX facility, have also lagged far behind targets.[75] Meanwhile, the proposal in the TRIPS Council to eliminate patent (and other IP) barriers for production by non-patentees was opposed by developed countries and the delayed decision taken at the WTO Ministerial Conference on 17 June, 2022 is devoid of any practical significance.

Learning from the experience of COVID-19, there is a need for a stronger mechanism to foster meaningful transfer of technology by private firms in developed countries to the LDCs, combined with South-South cooperation, to handle health emergencies in the future. However, there are considerable texts in the DPoA that undermine the rights and interests of LDCs related to technology-transfer. For example, brushing aside the need for a mandatory transfer of technology from developed countries to LDCs, Paragraph 64 states, "We also encourage the *voluntary* transfer of technology on mutually agreed terms with a view to enabling least developed countries to produce life-saving medicines, including COVID-19 vaccines (emphasis added)."

While LDC civil societies should strengthen their advocacy for a TRIPS waiver, developing countries, including LDCs themselves, need to take proactive steps to go beyond the WTO agreement of 17 June, 2023 to eliminate the patent barriers holding back the technology transfer related to life-saving pharmaceutical products. Different options that developing countries, including LDCs, can pursue to prevent patent barriers from being a binding constraint for technology-transfer include: taking advantage of compulsory licensing in conforming with Article 31; use of exceptions to exclusive patent rights under Article 30; and use of Security Exception under Article 73 of the TRIPS agreement.[76]

Compulsory licensing is an important flexibility under the TRIPS agreement.[77] In a national emergency or other circumstances of extreme urgency, TRIPS permits waiving certain conditions, such as prior negotiation for voluntary licenses, fulfilling certain conditions listed in Article 31 of the TRIPS agreement. The Doha Declaration on the TRIPS agreement and public health affirms that WTO members have the right to determine what constitutes a national emergency or other circumstances of extreme urgency and have the freedom to determine the grounds for compulsory licenses. LDCs can consider the situation arising from the COVID-19 pandemic as a national emergency to suspend patent and intellectual property rights (IPR). Besides the use of compulsory licensing to supply for domestic market (Paragraph (f) of Article 31), the TRIPS Agreement has been amended to provide for an additional type of compulsory licensing that allows export to other countries, following the decision of the 2001 Doha Ministerial Conference, which recognized that the countries unable to manufacture pharmaceuticals should be able to obtain cheaper copies produced under compulsory licenses elsewhere, if necessary. This is especially useful for LDCs which have limited technical know-how for manufacturing and are bound to rely on imports.

Likewise, under Article 73 (Security Exceptions) of TRIPS,[78] any WTO member is permitted to take any action "for the protection of its essential security interests" in an "emergency of international relations". The COVID-19 pandemic can be considered to constitute an emergency in international relations, and suspension of IPRs may be considered necessary to protect essential security interests. The developed countries may oppose it and take the matter to the WTO dispute settlement body, but the onus will be on developed countries to argue for the rejection of security exception, unlike in the case of the TRIPS waiver, where the onus was on the developing countries to argue for its approval.

While the LDC governments and civil societies have been demanding a permanent waiver of TRIPS for LDCs with an extended waiver period for the graduates, LDC governments and private actors are also to take steps to develop their manufacturing capacities so that they are able to make most out of the concessions provided by the amended TRIPS agreement. Amidst the realization that LDCs are often constrained by weak institutional and governance structures, particularly in politically fragile and conflict-torn LDCs, the national governments, private sectors, development partners, and civil societies need to build the capacity of LDCs to take advantage of international support measures.

2.7 Structural Transformation amidst Multiple Crises

Building productive capacity and enabling economic diversification have been the two pillars of the IPoA's strategy to attain structural transformation for the LDCs. However, LDCs only made limited progress when it comes to the transformation of their economies. This was made more challenging because of the devastating impacts of COVID-19 on production, trade, and investment in the LDCs, and its wider economic and social effects have stalled progress even further. As the DPoA states, LDCs continue to face multiple structural challenges and constraints, including narrow production and export bases, stagnant trade and investment flows, diminishing productivity growth, small size, isolation and remoteness from major markets, widespread poverty, hunger and malnutrition, lack of access to quality and inclusive education and lifelong learning opportunities, and underdeveloped human capital. Almost half of the Least Developed Countries are landlocked or small island countries, with a weak land and natural resource base. These long-standing challenges are compounded by new and emerging challenges, brought about by climate change, increased incidences of disasters and public health emergencies, conflicts, fluctuating commodity prices, and rising capital outflows.

Structural transformation of a country can only become a reality when the factors of production, including labour, moves from low productive activities to higher ones. This transformation is what the LDCs require where the DPoA need to highlight how it aims to help LDCs transform from low to higher value activities within the same sector, with the aim to raise sectoral productivity. It also fails to document how alternatively, the labour itself needs to transform and is able to move across sectors, from basic sectors such as the extractive sector to the more productive sectors of manufacturing and service. This will be helpful to raise the overall productivity of the entire economy. The DPoA must also consider the fact that LDCs may pursue different development models based on the characteristics of their individual economies. These range from agriculture and agro-processing based transformation to manufacturing or services-led economic transformation models.

Ideally, for the LDCs, the concept of successful structural transformation includes the need for a combination of different areas of policy intervention in a coherent manner to bring about a form of broad-based and inclusive sustainable development. Central to the DPoA's approach to what it describes as the "critical challenge" of structural transformation is a commitment "to promoting and supporting the formulation of national strategies aimed at increasing decent employment, diversification, economic transformation, value addition, efficiency and competitiveness in the manufacturing, agriculture and services sectors". Therefore, it is critical to promote national LDC governments and their policies related to the nexus of agriculture, industry and services which form an integral part of any structural transformation. This also forms the base whereby other extended range of issues which need to be addressed holistically and also be encompassed. Similarly, the integral task of increasing national productive capacities would require an approach combining enterprise development, skills formation, formalization, and the application of new technologies for LDCs. These elements are also extensively mentioned in the DPoA. Enterprise development, especially those that promote productivity and create employment while reallocating resources to new areas of activity through coherent, socially responsible, and sustainable enterprise, and industrial and employment policies.

While the DPoA acknowledges that most LDCs have made some progress in transforming their economic structures during the time of the IPoA, many still face an array of binding constraints. A dearth in technological capacity and capabilities, deficiencies in infrastructure, including digital infrastructure, low productivity, and limited capacity in manufacturing and other productive sectors. Certainly, the DPoA needs to help LDCs for their economic diversification, their high level of dependence on natural resources and the extractive sectors, low level of national as well as international investment, and also help LDC governments to increase their own capacity to implement structural policies that then implement reforms to the existing structures. This will, in the long run, remove barriers that impede faster progress in LDCs. The DPoA addressing these constraints is crucial for the long-term development of LDCs. They will be the main drivers of any transition from a low to a middle, and ultimately, to a high-income status. It will also ensure that their economies are more resilient going into the future. It is paramount that the DPoA actually deliver on its promise to help LDCs overcome obstacles to their economic transformation, thus enabling LDCs to transition to a more solid trajectory sustainable growth path, characterized by higher incomes, more productive employment, continued poverty reduction, and more inclusive economic, human, and social development.

2.8 Gender Equality and Empowerment in LDCs

Least Developed Countries are affected by a multitude of problems including extreme poverty, poor infrastructural development, and weak governance, and are more prone to possible climate change impacts, economic shocks, and internal conflicts, among many other issues. Evidence suggests than such events have more adverse effects on women than men. Similarly, due to uneven power dynamics, women have less access to resources, technology, and markets. As a result, women have to bear the heaviest burden of poverty in LDCs.

Progress with regards to gender equality and women's empowerment in LDCs has been mixed. Women's representation in parliament has been increasing. During the implementation period of the IPoA, the proportion of women in parliament had risen to 22.1 per cent (compared to the global average of 25.6 per cent) while it was 17.8 per cent in 2011.[79] However, despite the steady increase in women's political representation and participation in parliaments, there are inter-country differences in political participation, and women remain significantly under-represented at the highest levels of political participation as well as across the public and private sectors.

LDCs have, on average, almost achieved gender parity in primary education. The gender parity index for the gross enrolment ratio (the ratio of female to male enrolment) at the primary level increased from 0.79 in 1990 to 0.95 in 2017, which was still short of the 0.97-1.03 range within which it is assumed that gender parity has largely been achieved.[80] Despite the progress, there has been lack of progress in closing gender gaps in access to, retention in, and conclusion of secondary schools. The DPoA recognizes gender disparities at the secondary and tertiary level of education (DPoA; Paragraph 44). By 2017, one-third of the least developed countries had achieved gender parity at the primary school level, almost one sixth at the secondary school level, but none at the tertiary level of education.[81]

A study by the United Nations Population Fund (UNFPA) (2017) mentions that "while LDCs have made considerable progress over the past few years in reducing infant, child, and maternal mortality, and increasing contraceptive use, gender inequality remains an insurmountable obstacle."[82] In LDCs, the level of violence against women and girls is higher than the rest of the world. For example, the prevalence of physical violence against women is 37.8 per cent in LDCs versus 29.7 per cent in non-LDC countries.[83] Women are marginalised in LDC societies that are already overwhelmed by poverty, underdevelopment, and frequent unstable security conditions. As a result, in conflicts, economic shocks or natural disasters, women are exposed to specific dangers to themselves, their children, and their livelihoods.

The problems to gender equality and women empowerment include denied access to schooling, early and forced marriage, use of modern contraceptives at rates below global average, disproportionate burden of unpaid care work, low access to reproductive healthcare, and exposure to discrimination and violence. They also have less access to property ownership, credit, training, and employment. Women are disproportionately represented in the health and social services sectors, increasing their risk of exposure to disease.

Women in LDCs are also more vulnerable to unemployment than men – for example, women in Asian LDCs have an employment rate of 36.5 per cent (which is among the lowest in the world) against the LDC average of 64 per cent.[84] Even when employed, women are confined to lower-paid, lower-skilled positions with limited chances for upward mobility.[85] The per capita income of women in LDCs is extremely low (based on available estimates) in spite of the fact that they have, on average, some of the highest labour participation rates in the world (65.7 per cent), close that of male labour participation in OECD countries (68.9 per cent).[86] This highlights the fact that employment is not enough: women need decent jobs, typically in high productivity sectors. Specifically, women in LDCs face barriers in entering formal employment. This is evidenced by the higher proportion of women in non-agriculture sectors who occupy informal jobs, relative to men.[87]

LDCs can make rapid gains in a single generation from demographic dividend – a condition when the working age population increases due to decreasing fertility and increasing life expectancy – only by ensuring that every adolescent and youth – especially every woman and girl, can anticipate excellent education and healthcare, freedom of opportunity, decent employment, and an absence of discrimination and violence. But, despite significant achievements driven by international initiatives, including the Beijing Platform of 1995, the Millennium Declaration in 2000, and the Istanbul Programme of Action (IPoA), LDCs still have a long path to traverse to achieve gender equality. Lack of resources, in national budgets and internationally, for targeted spending on gender equality, such as the implementation of laws, policies, national gender equality mechanisms, and national action plans, as well as underinvestment in sectors such as social protection, health, education, and water and sanitation also represent a major challenge to the full implementation of the international commitments, including the Beijing Platform for Action.

As women account for half of the world's populations, gender inequality has serious social, political, and economic implications. The structural, cultural, social, and economic barriers against gender equality prevent women from participating fully in the economic and political life of their countries. Research by the World Bank (2003) states that "other things being equal, gender inequality retards both economic growth and poverty reduction".[88] Gender inequality results in poverty traps with higher gender-related poverty, leading to a less inclusive growth process. Discriminatory cultural practices also have long-term consequences. For example, the lifetime opportunity costs of teen pregnancy are estimated to be as high as 30 per cent of lost income in Uganda.[89] Similarly, as recognised in the DPoA, investment in the care economy is required "to spur sustainable economies, restore and create jobs, recognize, reduce, and redistribute women's disproportionate share of unpaid care and domestic work, and close the gender gap in labour force participation" (DPoA; Paragraph 23).

Even though two decades have passed since the Beijing Platform of Action, many of the same barriers and constraints against gender equality and empowerment persist globally. Despite the evidence that women's empowerment can help reduce poverty, promote development, and address the world's most urgent challenges, gender equality remains an unfulfilled promise. As reflected in the vision of 2030 Agenda for Sustainable Development, all relevant stakeholders should contribute towards creating "a world in which every woman and girl enjoys full gender equality and all legal, social and economic barriers to their empowerment have been removed".[90]

Women empowerment needs to be continually placed at the centre of the global development agenda. Any strategy aiming to ensure that LDCs enjoy the benefit of accelerated growth and sustainable development must include women. Addressing gender equality and women's empowerment requires strategic interventions, particularly in the areas of reproductive health, economic empowerment, educational empowerment, and political empowerment. In this regard, respective governments in LDCs are to accelerate the implementation of commitments to gender equality, women's rights, and women's empowerment, including those enshrined in the Doha Programme of Action (DPoA) for LDCs. In all the priority areas of DPoA and Sustainable Development Goals (SDGs), all relevant stakeholders should engage women as active contributors and beneficiaries.

While it is essential to maintain gender parity in all levels of education (as committed in Paragraph 45 of the DPoA), it is found this does not always translate into gainful employment due to several socio-economic barriers. Hence, LDC governments and development partners must work together to create an environment where women and girls have better access to economic opportunities through vocational and managerial skills, and access to land, technology, and finance. Accelerating women's economic progress will also require addressing the low quality of work available to women by strengthening measures to guarantee women's rights at work, shifting macroeconomic policies to enable the creation of decent work, and redistributing and reducing women's unpaid care work through social protection measures, accessible and quality care services, and improved infrastructure. In addition, women's reproductive rights should be protected and promoted (following the commitment in Paragraph 57; DPoA), including the right to decide the number, timing, and spacing of their children. Women's special needs and vulnerabilities to shocks and crises also need to be considered in development planning. The fact that women are more adversely affected than men during climate-related disasters should be well considered while planning for possible prevention and mitigation of such crises.

It is crucial that LDC governments give due focus towards mainstreaming a gender perspective into plans and programmes, which is also stressed in the DPoA (Paragraph 143; DPoA). Governments, Civil Society Organisations (CSOs), and development partners should work together to achieve gender equality in the LDCs by working towards removing gender inequalities in paid and unpaid work, ensuring social protection across the lifecycle and equal access to assets, increasing investments in infrastructures and basic social services, and applying gender mainstreaming in all areas of policy formulation and implementation. Public policy mechanisms addressing value chains must include gender-related considerations and specific measures, such as gender-monitoring indicators and gender-responsive budgeting. LDCs ought to ratify and fully enforce international mechanisms against women's discrimination, reform or implement laws aimed at ensuring women's access to resources, and harmonise conflicting legislation and legal procedures that on one hand endorse social equity and economic rights, and on the other hand, provide room for the predominance of discriminatory customs.

Institutional mechanisms are to be strengthened to advance gender equality. For the same, there should be adequate allocation of human and financial resources, and establishment of national women's ministries or other mechanisms at the highest possible level of government. Moreover, greater investments are needed in infrastructure and basic social services, including education, energy, health, and water and sanitation, to reduce poverty and also to free up women's time for productive activities.

LDC governments and development partners must urgently respond to the twelve critical areas of concern highlighted in Beijing Platform for Action, and effective implementation of the DPoA, the SDG5, and other Internationally Agreed Development Goals (IADGs) in support of gender equality and empowerment. Equally important is that the development partners increase its Official Development Assistance (ODA) to support LDCs with the financing needed to achieve the international commitments on gender parity, in line with the Addis Ababa Action Plan[91].

2.9 Sustainable and Irreversible Graduation

Meeting the graduation criteria is not adequate; the graduation should be smooth, non-reversible, inclusive, resilient, and sustainable, especially considering the vulnerabilities lately experienced by LDCs related to the COVID-19 pandemic, cost-of-living crisis, debt crisis, and climate disasters. In addition, according to the United Nations Conference on Trade and Development (UNCTAD), many LDCs are likely to face one or more of three major challenges beyond graduation: i) persistence of commodity dependence; ii) a risk of reversion to LDC status; and iii) the middle-income trap. Every graduation is accompanied with the risk of reversion, mainly due to exogenous shocks such as climate-induced disasters and trade shocks which are the major threats to the LDC economies. Like other developing countries, LDCs in the process of graduation may face challenges in sustaining economic growth sufficiently to progress from low to middle-income and from middle to high-income, as they tend to get caught in the middle-income trap. LDCs fall into middle-income trap through the persistence of structural vulnerabilities, infrastructural gap, and low levels of human capital, among many other problems.

There are several economic implications of graduation. Upon graduation, LDCs will lose certain special benefits that come with the LDC status, such as preferential market access for goods and services, flexibility in implementation of the rules of World Trade Organisation (WTO), international development measures, and special finance. Although LDCs, for instance, would be eligible for the Generalised Scheme of Preferences (GSP) that is available to developing countries, it is much less generous than the duty-free, quota-free (DFQF) market access provided by most advanced economies to LDCs. For example, exports from Nepal to the European Union countries would face around 5 per cent increase in tariff on average under GSP which would adversely impact mainly the garment, textile, and carpet industries.[92] A study shows that Nepal could lose 4.3 per cent of exports because of tariff changes when it graduates from LDC status in 2026, the major reasons being loss of preferential market access and stricter rules of origin (RoO) in the EU, Turkey, and the United Kingdom.[93] Furthermore, LDCs will have some additional restrictions in its policy space as it will be required to do away with export subsidies, especially in agricultural goods, after graduation. LDCs are, thus, likely to face competitive pressure on export products upon the withdrawal of international support measures after graduation.

Garnering the financial resources required to finance the necessary investment to put the LDCs on a rapid growth path remains a key challenge for implementing the Doha Programme of Action (DPoA). The fiscal constraint of LDCs has been worsened by the COVID-19 pandemic, primarily due to their undiversified export source that got impacted by the global supply chain disruption and travel restrictions during the pandemic. Graduation is further likely to exacerbate the financing challenges as graduating LDCs will lose access to certain funding schemes. For example, LDCs, upon graduation, will no longer be able to receive new funding under the Least Developed Countries Fund (LDCF) which is targeted towards addressing the immediate needs with regard to adaptation to climate change.[94] Likewise, they will lose access to Aid for Trade (AfT) under the Enhanced Integrated Framework (EIF) and the UN Capital Development Fund (UNCDF) after the five years following graduation.[95] Also, once a country graduates from the LDC category, the minimum grant element of Official Development Assistance (ODA) loans decreases unless it remains classified as a low-income country (LIC).[96]

As a result, a smooth and sustainable transition is crucial for a graduating LDC. The concept of smooth transition embodies the principle that LDC-specific support should be phased out in a gradual and predictable manner following graduation, so as not to disrupt the development process of the graduating country, pursuant to General Assembly resolutions 59/209, 66/213 and 67/221. Lately, the Committee for Development Policy has recognized the need for "a five-year preparatory period for all countries recommended for graduation at the 2021 triennial review to effectively prepare for a smooth transition", especially in the wake of the economic and social challenges posed by the COVID-19 shock. In addition, the national governments themselves need to take a lead role in making graduation smooth and sustainable by preparing a transition strategy. Governments in the LDCs need to build its productive capacity, expand its export base, diversify its economy, and make serious efforts towards poverty alleviation to sustain its graduation in the long run. Furthermore, the governments should take along the private sector, civil society, and international community while they pursue the agenda of sustainable graduation. Development and trading partners, including the United Nations system, should continue to support the implementation of the transition strategy and avoid any abrupt reductions in financial and technical assistance and must phase out the LDC-specific support measures gradually, keeping in mind that the graduated countries will have not yet built productive capacity to have a sustained development (Paragraph 278; DPoA). The General Assembly in its resolution on a smooth transition strategy also urges all development partners to support the implementation of a transition strategy and to avoid any reductions in either ODA or technical assistance provided to the graduated country. In addition, the WTO, following the proposals put forward by the Group of LDCs, should address trade-related challenges and extend to a graduated country the existing special and differential treatment and exemptions available to LDCs for a period appropriate to their development situation. Equally important is for LDCs to negotiate with the UN agencies, multilateral and regional trading bodies, and other members of the international community, seeking appropriate support for sustainable graduation.

3. CIVIL SOCIETY ROLE AND ENGAGEMENTS

Globally, there is a growing concern that civic space is shrinking each year. Many, including academics, researchers, and practitioners are gravely concerned about the increasing "closing space" around civil society. This is especially applicable to LDC civil society where many governments are enacting legislative as well as regulatory and practical restrictions on civil society, including closer scrutiny on foreign funding for CSOs, at the same time limiting rights on the freedom of association, assembly, and expression. Both developed and developing countries, including LDCs, are enacting restrictions, weakening their position and capacity to play a positive role through their societal contributions. Narratives are being created where the role of civil society is seen as unimportant and irrelevant. This precedence can be harmful or even dangerous as it is a violation of citizens' civil rights and undermines a holistic development process.[97]

Considering that civil society activities, including through people's movements have greatly influenced or even enhanced development processes and improved the state of democracy in many countries, LDC Watch and its National Focal Point organisations and the researchers and practitioners associated with these organisations are seeking ways to increase the sustainability and resilience of LDC civil society. As per the mandate of the DPoA to increase transparency and good governance, LDC civil society is increasing its outreach, and by building strong coalitions, LDC civil societies are working together with other organisations, both domestically and internationally, which are playing a role of amplifying the voices of civil society, providing access to resources and expertise, and increasing the political and social impacts of their advocacy efforts.

Similarly, they can be effective in promoting transparency and accountability in government and corporate practices. This is being achieved through advocacy for open and participatory governance, access to information, and the promotion of accountability mechanisms, such as independent judiciary and free media. With increased outreach and advocacy, LDC civil society, including LDC Watch, is able to bring poignant issues that are of global concern, such as the climate crisis, deteriorating human rights, and issues related to economic justice in the international arena. The attempt is that these issues and campaigns can help shape public opinion to support the aims embodied within the DPoA.

Just as the need to respect LDC governments and their development pathway needs to be respected by the developed world, civil societies working inside respective LDCs also need to be respected by LDC governments. Respect for the independence and political space of civil society, particularly when their views do not reflect government positions, is critical and one of the ways to build an inclusive society. Equally critical is to engage the public in any development plans that might affect them with purposeful monitoring to ensure that commitments are met and resources are used honestly and efficiently. LDC Watch National Focal Point organisations are building strategic partnerships with key stakeholders, such as businesses, academics, and government officials, who share the common goals and can provide support in achieving them.

As part of the civil society process in the context of the Fifth United Nations Conference on the LDCs, LDC Watch has been leading civil society consultations to review the implementation of the Istanbul Programme of Action and strategize towards LDC5 and beyond. Mobilisation of civil society has been done in almost all LDCs. To date, several consultations with mixed groups of local, national, and international civil society organisations, along with other concerned stakeholders, have already taken place. At the regional level, in partnership with UN-OHRLLS, the following three consultations were held:

1. Africa and Haiti LDC Civil Society Assembly on 10 November 2022, for Francophone members
2. Africa LDC Civil Society Assembly on 17 November 2022, for English-speaking members
3. Asia-Pacific LDC Civil Society Assembly on 27 November 2022, for English-speaking members
4. National development programmes and the Doha Programme of Action (DPoA) must be fully 'owned', not only by LDC governments but also by the LDCs' peoples. Governments need to make more efforts to engage with all levels of society, through legitimate and effective processes that ensure democratic ownership of development programmes are truly reflective of national perspectives and aspirations.

Box 2: LDCs' self-determination in a historical context

LDCs should be allowed their right to self-determination, whereby they should have the right to be able to make their own choices regarding their development without any form of interference and coercion. It is critical to respect the autonomy of LDCs and view their predicament in a historical context where numerous LDCs have experienced colonization, exploitation, and clearly unfair trade practices dictated by rich and industrialized nations. Recognition of the historical context is integral because LDCs and other developing countries are still grappling with the effects of these injustices. One way to address this is to respect LDCs' development choices and priorities, and recognize the unique cultural traditions within LDCs. Development should not be imposed; however, it should be aligned with their socio-cultural values, at the same time being respectful of the problems that these LDCs face in the midst of multiple crises. This is seen as critical for promoting global equity and cooperation and benefiting all people and the planet.

4. CALLS FOR ACTION AND WAY FORWARD

Economic growth and poverty alleviation

- One of the specific objectives of the DPoA, which is reiterated in the SDGs, is to achieve sustained, equitable and inclusive economic growth in LDCs, to at least the level of 7 per cent per annum. To attain this level of GDP growth, the average rate of investment growth in the LDCs as a whole would need to increase to reach the GDP growth target.
- Governments in the LDCs need to build its productive capacity, expand its export base, diversify its economy, and make serious efforts towards poverty alleviation to sustain development in the long run. Furthermore, the governments should take along the private sector, civil society, and international community while they pursue the agenda of sustainable development.

Environmental crisis and climate justice

- We strongly call for scaled-up climate finance that will provide a separate financial facility dedicated to the Loss and Damage (L&D) needs of the LDCs. We also condemn the deception, delays, and inaction of the governments of rich and industrialized countries of the global north to evade the delivery of their climate finance obligations. The Global North needs to acknowledge its historical responsibility and equity under the UNFCCC and provide debt-free climate finance in order for LDCs to adapt and build resilience against climate change impacts
- We demand that the available financial mechanisms, the Green Climate Fund (GCF), the Global Environmental Facility (GEF), the Least Developed Countries Fund (LDCF), and the Adaptation Fund (AF) are duly accessible for LDCs as much-needed resources to support climate action in LDCs. There should be an immediate operationalization of Loss and Damage (L&D) Fund with commitments of adequate funds from the countries in the Global North. It is imperative that the finance is new, additional, sustainable as well as predictable. The first step should be the delivery of historical promises, such as the USD 100 billion annual climate finance related to the GCF, which developed countries were meant to deliver each year from 2020 to 2025, but which so far has not been met.
- We call upon LDC negotiators to collaborate, including with other groups of parties and partners, to ensure the effective implementation of the Paris Agreement. This collaboration should safeguard and preserve the key interests of LDCs along with the various flexibilities provided to LDCs as well as special circumstances recognized in the Paris Agreement.

- We condemn the promotion of false solutions packaged under the concept of Net Zero pledges of rich countries. The Net Zero scheme is heavily based on the assumption that unproven technologies and mechanisms can offset continued greenhouse gas (GHG) emissions by removing carbon dioxide from the atmosphere. Instead, we call for radically reducing emissions to Real Zero, which requires rapid and drastic cuts in emissions and challenging economic models and powerful interests that are at the root of the climate crisis.

Pandemic treaty awnd public health

- We learned during the COVID-19 pandemic that barriers related to Intellectual Property (IP) rights hindered people's early access to life-saving countermeasures, such as vaccines, tests and treatments. People in Low- and Middle-Income Countries (LMICs), including LDCs, were disproportionately impacted as the IP barrier prevented the sharing of necessary technologies and know-how, that could have decentralized the production and supply of life-saving drugs.
- As the "zero draft" of the Pandemic Treaty is currently in discussion at World Health Organization (WHO)[98] and seeks to address the issues of pandemic preparedness and response, it offers an opportunity for leaders of LDCs to negotiate for an accord that puts people's lives first over pharmaceutical profits. Provisions on equal access to pandemic countermeasures and sharing of technology should not be compromised in the treaty as it again makes fight against future pandemic weaker giving rise to extreme forms of poverty and inequalities. We believe that no one will be safe until everyone is safe.
- The language of the treaty must oblige governments to take specific actions to ensure equity on vaccine and life-saving drugs. It must include concrete commitments combined with practical mechanisms, obligations, requirements and enforceable measures, rather than being limited to vague promises and encouragements.
- The draft treaty proposes that critical public health interventions be based on "strengthening existing and developing innovative multilateral mechanisms that promote and incentivize relevant transfer of technology and know-how for production of pandemic-related products, on mutually agreed terms, to capable manufacturers, particularly in developing countries" [Article 7(2)].[99] Therefore, the treaty is based on "best endeavour" language emphasising on the willingness of pharmaceutical companies to engage in voluntary mechanisms of technology transfer. These have repeatedly proved to be insufficient during the current and previous epidemics and pandemics. Therefore, the treaty must require governments to invest in Research and Development (R&D)

and manufacturing capacities and condition the public funding on sharing technology, knowledge and intellectual property with developers and manufacturers in the Global South.

- As shown by the dismal performance of the COVAX facility[100], equitable allocation of medical countermeasures cannot be achieved by the WHO reserving 20 per cent of products [Article 10(3)(h)] for more than 80 per cent of the world's population in the developing world[101]. A sustainable health-equity model must include practical measures of technology-transfer and sharing of products and profits obtained from sale. The basic premise is that the allocation mechanism should be based on health needs of the population, not on the ability to pay.
- Finally, there is an urgent necessity for a TRIPS waiver for developing countries, including LDCs, that would remove patents and other IP protections associated with vaccines, treatments, and tests, among other life-saving drugs.

Development finance, economic crisis and debt sustainability

- We call on development partners to fulfil, at the earliest, their aid commitment – ODA equivalent to 0.15-0.20 per cent of their GNI dedicated for the LDCs. As suggested in the Doha Declaration on Financing for Development, we also encourage all donors to establish rolling indicative timelines that illustrate how they aim to reach their ODA target in accordance with their respective budget allocation processes. We also call on all donors to allocate at least 50 per cent of net ODA to LDCs as foreseen in paragraph 52 of AAAA. Furthermore, South-South cooperation needs to be enhanced, including through the sharing of experiences and best practices.
- Besides increasing the volume of aid to LDCs, there is a need to enhance the quality of aid and align the aid system with LDCs' national interests. Meanwhile, the Sustainable Development Goals (SDGs) lay out a demanding agenda for human progress across many dimensions, and ensuring that the aid flows to the poorest countries remain buoyant will be essential for delivering on these goals.
- We demand an increment in trade-related financial and technical assistance aimed at increasing productive capacity of the LDCs. Development partners should enhance the share of Aid for Trade (AfT) to LDCs and support the Enhanced Integrated Framework (EIF). Meanwhile, the Paris Climate Accord makes a number of references to the importance of funding climate action in LDCs. In this regard, we advocate for increased contribution by developed countries to climate funds to ensure climate change for the LDCs. The climate finance should be grant-based and the current trend of providing ODA, including climate support, in the form of loans should be reversed.

- We also urge development partners to uphold the principles of aid and development effectiveness, including predictability and transparency, harmonisation, country ownership, and untied aid. It is also crucial for development partners to give more priority to productive sectors and infrastructural development while allocating aid.

Agriculture and food sovereignty

- Smallholder food producers must be supported in creating local markets, which can be done through linking rural and urban areas to increase their income and strengthen local economies. Links between smallholder and local, national, and regional markets need to be created. They must have access to information on prices whereby they can effectively engage in markets. Smallholder food producers should have access to non-debt creating credit.
- Public procurement and public stockholding are invaluable instrumentalities to sustain the food security programmes in LDCs because it not only ensures cheap subsidized food to millions of urban and rural poor and hungry, but it also guarantees a price support mechanism to millions of its small-scale resource-poor farmers. It should not come under any kind of restriction.
- Cotton growers in the C4 countries face major challenge in marketing their produce because of restricted access and the heavy subsidies by the USA to their cotton growers. They should be provided relief through timely reduction of subsidies to cotton growers of developed countries like US.
- Developed countries should reduce the subsidies that they give to their farmers whose over production continues to threaten the livelihoods of small and marginal farmers in the developing countries. These farmers not only face unfair competition in their home markets from highly subsidized imports from developed countries but their prospects for exports to a third country gets severely constrained because of price depression in the international market.
- There needs to be strong focus on Special and Differential Treatment (S&DT). Within S&DT, it should be easy for LDCs to invoke Special Safeguard Mechanism (SSM), an instrument that allows curbing of unforeseen surges in the import of agriculture products from heavily subsidized countries in the North. Furthermore, LDCs should have enough flexibility to designate appropriate number of products as Special Products and make these products eligible to flexible treatment. It is important to protect the poor and vulnerable farmers from adverse effects of import surges and price falls.

Gender equality and women empowerment

- LDC governments and development partners must work together to create an environment where women and girls have better access to economic opportunities through vocational and managerial skills, and access to land, technology and finance.
- Governments, Civil Society Organisations (CSOs), and development partners should work together to achieve gender equality in the LDCs by working towards removing gender inequalities in paid and unpaid work; ensuring social protection across the lifecycle and equal access to assets; increasing investments in infrastructures and basic social services; and applying gender mainstreaming in all areas of policy formulation and implementation.

Trade

- The DPoA and the SDG 17.11 entail doubling the LDCs' share of global exports by 2020. Similarly, SDG 17.12 calls for timely implementation of DFQF, and simple and transparent rules of origin. The issues of implementation of S&DT particularly for LDCs (SDG 10.a.) and increasing AfT through the EIF (SDG 8.a.) have also been raised in the 2030 Agenda.
- With the purpose of enhancing productive capacity and improving market access conditions, LDCs are to be provided with better terms of trade, more access to the world market, a stable price of commodities, and better transfer of appropriate technology. Amidst the problem of lack of trade diversification as characterised by heavy dependence of LDCs on export of primary commodities, we call upon governments of LDCs in Asia to make concrete efforts towards overcoming their supply side constraints and building productive capacity to enhance their export capacity. LDCs need to take advantage of the preferential trade access provided to them.
- We urge World Trade Organisation (WTO) to rectify trade-distorting measures in agriculture, eliminate unjustified non-tariff barriers (NTBs), have a timely implementation of duty-free quota-free (DFQF) market access on a lasting basis for all LDCs, make preferential rules of origin simple, transparent and predictable, implement Special and Differential Treatment (S&DT), and increase assistance through Enhanced Integrated Framework (EIF) under Aid for Trade (AfT) Mechanism.
- The 2005 WTO Ministerial Conference in Hong Kong decided that members facing difficulty in providing full DFQF access shall provide DFQF access for at least 97 per cent of products originating from LDCs. This provision has been used by developed and developing countries such that the 3 per cent excluded from DFQF consists of between 90 and 98 per cent of all exports from LDCs. We advocate that 100 per cent DFQF should be provided to LDCs and 'rules of origin' need be relaxed to enable LDCs to find alternative exports that are not part of the 3 per cent.

- Article 66.2 of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) states that developed country members shall provide incentives to enterprises and institutions in their territories for the purpose of promoting and encouraging technology transfer to LDCs in order to enable them to create a sound and viable technological base. However, LDCs are yet to receive any significant technical and financial support under Article 66.2 of the TRIPS agreement. LDCs also need financial and technical assistance to build capacity to comply with TRIPS agreement.

Sustainable and irreversible graduation

- LDC-specific support should be phased out in a gradual and predictable manner following graduation, so as not to disrupt the development process of the graduating country, pursuant to General Assembly resolutions 59/209, 66/213 and 67/221.
- The LDCs in the process of graduation must realize that after the end of transition period after graduation, they are going to lose special support measures associated with LDC status including provisions of preferential market access, duty free quota free market access, special treatment regarding WTO obligations, less restrictive application of Rules of Origin (RoO), and the dedicated ODA amount. In response, they should form medium-term strategies and lobby with trading partners and development partners to extend preferential market access in different forms.
- Development partners and multilateral trading regimes such as WTO must ensure the smooth transition of countries graduating from the LDC category. A smooth transition is vital to ensure that these countries are eased onto a sustainable development path without any disruption to their development plans, programmes, and projects. The measures and benefits associated with the least developed country membership status need to be phased out in a manner consistent with their smooth graduation strategy.

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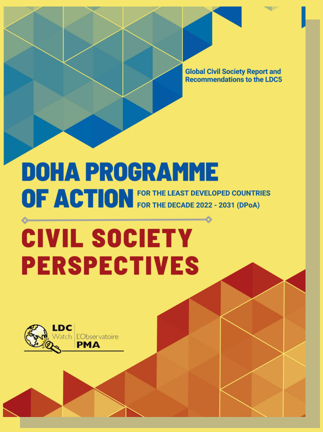

About LDC Watch

LDC Watch is a global network of national, regional and international civil society organisations (CSOs), alliances and movements based in the Least Developed Countries (LDCs), defined by the United Nations (UN). It acts as a coordinating body for LDC civil society to advocate, campaign and network for the implementation of the Doha Programme of Action for the LDCs for the Decade 2022-2031 (DPoA) and other Internationally Agreed Development Goals (IADGs).

LDC Watch strives to go beyond the DPoA in addressing poverty, hunger, social injustices and human rights in the LDCs. LDC Watch, therefore, has been raising its voice and articulating its perspectives in a multi-stakeholder framework, engaging with the UN, LDC governments and their development partners, both as partner and pressure groups.

LDC Watch has a Special Consultative Status with the United Nations Economic and Social Council (ECOSOC) and is accredited to the UN Framework Convention on Climate Change (UNFCCC).

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