

Proposed Language on the Draft Outcome Document of the Millennium +5 Summit¹

14-16 September 2005



The following document is a compilation of suggested language and other notes of concern submitted by non-governmental organizations which had participated, in some way, in the Freedom from Fear cluster of the NGO hearings on the Millennium +5 Summit, held in New York, 24 June 2005.

Groups which have contributed to this compilation of proposed language include:

Atomic Mirror (<http://www.atomicmirror.org/>)

CAFRA, DAWN Caribbean

Global Partnership for the Prevention of Armed Conflict (www.gppac.org/)

Lawyers' Committee on Nuclear Policy (www.lcnp.org)

NGO Working Group on Women, Peace and Security

Peace Boat (www.peaceboat.org.jp)

Save the Children (<http://www.savethechildren.org/>)

Social Watch (www.socialwatch.org)

Western States Legal Foundation (www.wslfweb.org)

Women's International League for Peace and Freedom (www.wilpf.int.ch)

The following document is not a consensus-based text, agreed upon by all contributing organizations. Rather, it is a compilation of suggestions as submitted by the individual groups.

¹ KEY:

Bold text indicates added language

Italicized text indicates deleted language

DRAFT OUTCOME DOCUMENT

2. Recalling the Millennium Declaration we adopted at the dawn of the 21st century, we reaffirm our faith in the Organization and our commitment to the Charter including principles and values underpinning international relations, such as freedom, equality, solidarity, tolerance, respect for nature and shared responsibility, **and in particular the respect for the rule of law, as affirmed in Article 2.4 of the Charter;**

6. We agree that current developments and circumstances require that we urgently build consensus on major threats and challenges. We commit to translate that consensus into concrete action. We pledge to rapidly strengthen the United Nations in order to make it more effective and more credible. **In the absence of consensus, options of a supermajority should be explored.** This is our shared responsibility and our common interest.

9. We reaffirm that gender equality and the promotion and protection of the full enjoyment of all human rights and fundamental freedoms for women **and children** are essential to advance development, security and human rights.

We affirm that the protection and promotion of the rights of children are necessary for peace, security and full human development.

14. **Recognize that the fulfillment of children's rights is essential to successful implementation of the global development agenda and in that regard undertake to ensure that the results of gains made will be manifested in increased funding for education, water and sanitation, health and child protection.**

Protection and Promotion of the Rights of Children

(insert after 20 and before 21) : We affirm the full and effective implementation of “A World Fit for Children” the outcome document adopted by the UN General Assembly at the twenty-seventh special session, the Convention on the Rights of the Child, and the Millennium Development Goals including:

- **promoting healthy lives;**
- **providing quality education;**
- **protecting against abuse, exploitation and violence;**
- **combating HIV/AIDS.**

32. We also reaffirm our commitment to ensure that children in armed conflicts receive timely effective humanitarian assistance, **including quality and appropriate education,** and to take effective measures for their rehabilitation and reintegration in society.

Peaceful resolution of disputes

33. We call on Member States to settle their disputes by peaceful means in accordance with Chapter VI of the Charter of the UN, including, when appropriate, by the most effective use of the International Court of Justice. We call upon States to refrain from all

uses of force contrary to the Charter of the United Nations, **such as pre-emptive or preventive use of forces without Security Council authorization.** All States shall also act in ways consistent with the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States.

37. We stress the important role of women in the prevention and resolution of conflicts and in peace building, **and reaffirm Security Council resolution 1325.** We also underline the importance of **the integration of gender perspectives and** women's equal participation and full involvement in all efforts to maintain and promote peace and security, as well as the need to increase their role **at all levels of** decision-making. **We strongly condemn all violations of the human rights of women and girls in situations of armed conflict and the use of sexual exploitation, violence and abuse and commit to establishing and implementing strategies to prevent and report on gender-based violence.**

41. We request the President of the General Assembly, assisted by the Secretary-General, to conduct consultations with Member States and civil society organizations in order to develop the necessary modalities for the effective operation of the Peacebuilding Commission, including on its composition, its rules of procedure and financial arrangements for its functioning, so that the body can begin operations no later than 31 December 2005.

42. Request the Secretary General to engage civil society organizations that have expertise and commitment to peacebuilding effectively into the Peacebuilding Commission and Peacebuilding Support Office.

47. We recognize the need to continue discussing principles for the use of force, as identified by the Secretary-General, and that such principles should be among the factors considered by the Security Council, **General Assembly and, where appropriate, civil society** in deciding to authorize the use of force as provided under the Charter.

Disarmament and non-proliferation

48. [Del: We appeal to all States to pursue and intensify negotiations with a view to advancing general and complete disarmament and strengthening the international non proliferation regime.] **We urge all states to advance general and complete disarmament and strengthen the international nonproliferation regime.**

49. [del: We urge]**To enhance global security, we require** all states the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention, and the Biological and Toxin Weapons Convention, **thereby making them all universal.** We pledge to comply fully with all the articles of these conventions, in order to strengthen the multilateral framework for non-proliferation and disarmament, and to achieve full adherence to these conventions. **If states refuse to accede to these conventions, we will refer the matter to the security council as a breach of international peace.**

50. [Del: We therefore agree to:]**We resolve therefore to:**

- [Del: Appeal to all States to take action to] **eliminate the proliferation of weapons of mass destruction;**

Also appeal to the nuclear weapon States to make concrete steps towards nuclear disarmament in accordance with Article VI of the NPT, **as well as the “unequivocal undertaking” to which they committed in the Final Document of the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons**, with the objective of eliminating all such weapons;

Appeal to all States to take action **to prevent proliferation** [del: *to eliminate*] of weapons of mass destruction **and to eliminate such weapons.**

- [Del: Also appeal to the] **Require all** nuclear weapon States to make concrete steps towards nuclear disarmament in accordance with Article VI of the NPT with the objective of eliminating all such weapons;
- Intensify efforts to negotiate a Fissile Material Cut-off Treaty, **based upon the Shannon Mandate (CD/1299), without prejudice to the outcome;**
- Maintain an indefinite moratorium on nuclear test explosions pending the entry into force of the Comprehensive Nuclear Test-Ban Treaty and call on all States to accede to **and ratify** the Treaty;
- Strengthen verification of the Treaty on the Non-Proliferation of Nuclear Weapons by accepting the Model Additional Protocol, the standard for compliance, and to conclude such protocols without delay;
- Support and continue to [del: work towards the establishment of] **establish** nuclear weapon free zones in order to prevent proliferation and advance disarmament;
- Strengthen the Biological and Toxin Weapons Convention through continued efforts to improve national implementation **and through the completed negotiations of an effective verification regime;** [or] Strengthen the Biological and Toxin Weapons Convention through continued efforts to improve national implementation **and to establish a global verification regime;**
- Complete the destruction of chemical weapons stockpiles consistent with the Chemical Weapons Convention in a timely and effective manner;
- **Fully implement Security Council resolution 1540, thereby preventing** non-state actors gaining access to nuclear, chemical and biological weapons, technology and materials, or their means of delivery; **including by complying with Security Council resolution 1540;**

- Promote timely agreement to prevent the spread of uranium enrichment and plutonium separation technologies and facilities, [~~and seek for alternatives that respect fully the right to peaceful uses of nuclear energy contained in the Treaty on the Non-Proliferation of Nuclear Weapons, such as the provision of guaranteed nuclear fuel supplies and other incentives~~] **and promote sustainable, renewable, non-nuclear sources of energy;**

[or] Promote timely agreement **on global arrangements** to prevent the spread of uranium enrichment and plutonium separation technologies and facilities **and to prevent the development, construction, and operation of plutonium separation technologies**, seek for alternatives that respect fully the right to peaceful uses of nuclear energy contained in the Treaty on the Non-Proliferation of Nuclear Weapons, such as the provision of guaranteed nuclear fuel supplies and other incentives, **and promote the development and acquisition of sustainable, renewable, non-nuclear sources of energy;**

- Call for universal accession to the comprehensive safeguards agreement and additional protocols, and recognize that comprehensive safeguards agreements and additional protocols have a deterrent effect on nuclear proliferation and form today's verification standard;
- Explore effective measures to [~~prevent an arms race in outer space~~] **prevent the weaponization of outer space;**

[or] Explore effective measures to prevent an arms race in outer space **including a treaty prohibiting the deployment of space-based weapons, by reaffirming the principle of peaceful use of outer space, and revitalize the Conference on Disarmament in such efforts ;**

- **Explore effective measures to** prevent [~~and combat~~] proliferation of nuclear, chemical and biological weapons, technology and materials; and rockets and shoulder-fired missiles, as well as ban on transferring them to non-states actors, including by implementation of effective national export controls.

[add] Explore effective measures to prevent proliferation of rockets and shoulder-fired missiles and banning their transfer to non-state actors, including by implementation of effective national export controls;

[add] Explore effective measures to control and eliminate acquisition and stockpiling of long-range missiles and aircraft;

[add] Explore effective measures to limit acquisition and stockpiling of other conventional weapons systems, including artillery, tanks, and short- and medium-range missiles and aircraft.

51. We agree to develop a legally binding international instrument to regulate the marking, tracing and illicit brokering of small arms and light weapons, **taking into account the need for a universal compliance of international treaties on non-proliferation by all State parties.**

53. We invite all States to take and implement confidence-building and disarmament measures **We support the 2004 Report of the Group of Governmental Experts on the relationship between Disarmament and Development, and call on Member States to substantially reduce their military spending and reallocate for development. We note first and foremost responsibility of States with the largest military budgets to take action immediately.**

Human security

75. We stress the freedom of people to live in dignity. We recognize that human security is a guiding principle of the vital need to protect civilian populations from the many insecurities generated by current threats and challenges affecting people's lives. We therefore commit to promote human security as a means to empower people and address effectively these insecurities.

ADD : In promoting human security, we acknowledge the urgent need for a fundamental transformation in the concept of security itself. This new interpretation recognizes the security of individuals as well as nations, the security of people as well as territory, and the universal right to security for all people everywhere.

ADD : Recognizing that fulfilling basic human needs and eradicating poverty and injustice will reduce and eliminate some of the root causes of conflict and violence, we resolve to work together to ensure human security through development and not through arms, and through equitable provision of food, shelter, clean air and water, safe sewers, reproductive health care for women, basic health care, and education for all.

Security Council

85. We recommend that the Security Council adapt its working methods so as to: increase the involvement of States not members of the Security Council in its preparatory work; enhance the accountability to the membership, and increase the transparency of its work **and effectively engage civil society organizations committed to peace and security into its deliberations in order to encourage the local ownership in building peace and security.**

Regional organizations

100. We support a stronger relationship between the United Nations and regional and sub-regional Organizations pursuant to Chapter VIII of the Charter and therefore resolve to:

- Expand consultation and cooperation between the UN and regional and sub-regional organizations through formalized agreements between respective secretariats, regularized involvement of regional organizations in the work of the Security Council, and participation of relevant regional organizations in the Peacebuilding Commission;
- Ensure that regional organizations that have a capacity for conflict prevention or peacekeeping consider the option of placing such capacities in the framework of the United Nations Standby Arrangements System;
- Request the General Assembly, on an exceptional basis, to finance regional operations authorized by the Security Council with assessed contributions, and request the General Assembly to further support regional and sub-regional organizations, **as well as informal regional forums, build capacity for conflict prevention.**

102. We welcome the [del: *positive*] contribution of non-governmental organizations, civil society and the private sector in the promotion and implementation of development, security and human rights **processes and** programmes and stress the importance of their continued engagement with governments, the UN **system, and in particular, through enhanced connection with the General Assembly and Security Council deliberations and decision-making**, and other international organizations in these key areas.

Other NGOs submitted food-for-thought on the pursuit of a freedom from fear, including:

There is a risk to overlook people who are not in armed conflict, but live in daily fear anyway:

- ❖ Millions of women and children live in fear in their own home because of domestic violence.
- ❖ Millions of women also live in fear to be infected with HIV, because they are not authorized to decide over their own bodies, leave alone able to negotiate safer sex.
- ❖ If we want to live free from fear in our houses and in the world in general we will have to address the causes of violence; Raising men to be tough and ruthless in a culture that hails attack as the best defense is surely one. Letting the aggressor get away with it, is surely another.

- ❖ To get rid of fear we need to start at the root by educating children in Human Rights, with a special focus on women's rights including sexual and reproductive rights.

- ❖ As Caribbean societies, we have become an in transit zone for drugs and small arms. This is corrupting our institutions and economies, and leaves citizens caught between armed drug lords and frustrated police.
- ❖ In addressing transnational crime, the sellers, the buyers and anyone facilitating them, should be pursued with the same vigor as terrorists.

High-level encounters should not be limited to quinquennial occasions, but should occur at the beginning of every regular General Assembly session.

In order to free ourselves from fear, we must be honest about what it is we have to fear. The President's Draft Outcome Document (DOD) is, on the whole an excellent document. But it does not take into account the context in which 170 heads of state and government will be meeting in September:

It is not enough to appeal once again to the nuclear weapon states to take concrete steps toward nuclear disarmament in accordance with Article VI of the NPT without recognizing that, at the recently concluded 2005 NPT Review Conference, the nuclear weapon states virtually read Article VI out of the NPT.

It is not enough to fear terrorism, as we all do; we must also fear what the manner in which terrorism is being fought is doing to our fundamental values and liberties.

It is not enough to call for the implementation of all human rights for all people when economic and social rights are not being taken seriously by the majority of governments and when a return to the use of torture is being practiced by many governments and even justified by some.

1. Par. 42 seems to leave open the possibility of sanctions lacking Security Council authorization.
2. There is nothing in the document about the weaponization of space, the need for a verification mechanism of the biological weapons convention, or the desirability of an arms trade agreement going beyond small arms.
3. Re par. 67: Not only States which have “not yet” recognized the jurisdictions of the International Court of Justice should do so, but also States which have renounced submission to ICJ jurisdiction in whole or in part should be encouraged to resubmit to the jurisdiction of the Court.
4. Par. 71 on impunity needs an affirmation of the principle of universal jurisdiction. Cooperation with the ICC and war crimes tribunals is important, but so is promotion of the principle that, where the country of primary jurisdiction is unwilling or unable to prosecute persons guilty of “the most serious violations of international humanitarian law”, every country with an independent judiciary should have the duty to prosecute such persons.
5. Par. 76 on a Culture of Peace should refer to the imperative need for peace education in every school in the world. There can be no culture of peace without peace education.

In a world where children and young people represent the majority of the population in many developing countries, (in sub-Saharan Africa, 51% of the population is under the age of 18), it is essential that all nations agree to the inclusion of the following in the Values and Principles of the Millennium Review Summit Outcome Document:

We affirm that the promotion and protection of the full enjoyment of children’s rights, as defined in the United Nations Convention on the Rights of the Child, are essential to advance lasting development, security and human rights.

Freedom from Want

- Save the Children is a member of the Global Call on Action against Poverty (G-CAP) and supports their policy calls on debt relief, trade justice and more and better aid.
- There must be a clear commitment that gains from increases in ODA and 100% debt cancellation will benefit children. Governments must commit to mainstreaming plans to ensure the fulfillment of children's rights, as defined in the UN Convention on the Rights of the Child (UNCRC), into all development efforts;
- There must be recognition that the original MDG target for achieving gender equity in education by 2005 has been missed and a recommitment to achieving that aim by 2010 at the latest.

Freedom to Live in Dignity

- Responsibility to protect must prioritize the protection of children, particularly children in conflict, including recognition of the protective elements of education.
- All governments should strive to achieve full implementation of the UNCRC and those states that have not done so should sign and ratify the Convention and its Optional Protocols as a matter of urgency.
- There is an urgent need for the reforms to give equal attention to human security as well as to “hard security.”

Freedom from Fear

- The Peace Building Commission must take an holistic approach to peacebuilding – it should not simply coordinate policy and funding for governments’ institutional reforms but should include local adults and children in the design of complementary civil society peacebuilding initiatives.
- The shortfall in funding and policy coordination for the reintegration of children in DDR processes must be remedied and whole communities, rather than simply individuals, must benefit from the reintegration component. Education’s developmental, protective and peace-building sides should be emphasized.
- Specific measures and mechanisms to protect children must be central to the new international principle of collective responsibility.

Strengthening the UN

- A clear delineation between political and humanitarian operations is essential in the reform of the UN’s humanitarian response system.
- Such humanitarian reform must include the principles of accountability laid out in the Good Humanitarian Donorship initiative as the foundation for any new humanitarian system. Humanitarian actors (public, private and NGOs) are accountable to deliver quality responses in line with recognized best practice or minimum standards.
- Any reform, change or new structure must recognize and support the involvement of civil society, including NGOs.

We appeal to the UN, specifically to the GA, to continue to encourage governments to find and create space for interaction with civil society in the regions and nationally. Furthermore... we further appeal to the UN to ‘convene’ and provide this ‘space’ at the regional and national levels – specifically in the area of prevention of armed, violent conflict.

This can be done by providing mechanisms in the UN regional and national offices that bring together the different stakeholders, before, during and after the conflict erupts. Within the context of the Draft Outcome Document, and the recommendations on the different mechanisms of the Peacebuilding Commission (Paragraph 40), this might be possible as part of the tasks allotted to the Peacebuilding Support Office, only if it were

1) to have a role in pre-conflict with the different stakeholders, and 2) to have appropriate liaison and program officers in regional and national UN offices.

This UN role – as a convener and provider of safe space merits specific and clear mention in the Draft Outcome Document, in the section on Peace and Collective Security, rather than merely adding a welcomed, yet insufficient, clause in paragraph 102. The role of civil society in peace building perhaps deserves more than a ‘disclaimer’ at the end of the document.