



Geneva Reporter

Quaker United Nations Office - Geneva

Opportunities Lost: The Failure of the NPT Review Conference

The long-awaited and critical 2005 Review Conference of the Nuclear Non-Proliferation Treaty (NPT) took place in New York from 2 - 27 May 2005. It shamefully ended without any substantive steps having been agreed. Much of the meeting was dominated by procedural disagreements and political gamesmanship. A major chance to address in concrete ways the serious challenges that the continuing presence of nuclear weapons and nuclear materials pose to global security was lost.

*"We have let the pursuit of short term, parochial interests override the collective long term interest in sustaining this Treaty's authority and integrity... We believe this is a Treaty worth fighting for and we are not prepared to stand idly by while its crucial supports are undermined."
Canadian Ambassador Paul Meyer addressing the final plenary of the NPT*

This is not to say that the meeting was devoid of content. Serious papers were put forward by many states. It was clear that most states wanted this meeting to succeed, and that the large majority feels that the NPT - with the important connection that it makes between non-proliferation and disarmament - continues to be a vital instrument. Review Conferences have failed to produce a substantive final document before: we shall not

immediately see a "break out" by many states from the NPT and a sudden explosion of new nuclear weapons states.

It is perhaps better that the meeting turned out this way than produced some limp final statement that papered over the serious differences at the meeting. Most states will insist that the so-called 13 "practical steps" agreed at the 2000 Review Conference stand and should continue to guide serious multilateral initiatives on nuclear disarmament.

Nevertheless, although there are other ways to continue to address nuclear disarmament and find new strategies for doing so, the failure of the NPT sends a bad message. It seems to say that NPT member states possessing nuclear weapons, while arguing forcefully for nonproliferation, are not serious about their disarmament obligations under Article VI of the Treaty (whatever progress there has been on weapons reduction, principally between Russia and the United States) and still value the contribution to their own security that they perceive nuclear weapons to bring. What conclusions can we expect others to draw from this? Having one's cake and eating it too simply can't work for much longer.

As important as the Proliferation Security Initiative, Security Council Resolution 1540, the

Nuclear Terrorism Convention and other initiatives to control and stem access to materials that could be used for the development of weapons of mass destruction are, these ring somewhat hollow when nuclear disarmament by the nuclear weapons states appears to be nowhere on the horizon.

The failure at this Review Conference reflects the kind of stalemate that exists currently in a number of multilateral disarmament forums. The Conference on Disarmament (CD) is now in its ninth year without being able to agree a programme of work. Progress is being held back by a small number of countries that for narrow, national reasons are blocking serious multilateral work which most countries wish to see happen from taking place.

The Secretary General in his *In Larger Freedom* report called for the revitalization of our multilateral frameworks for handling threats from nuclear, biological and chemical weapons. Nothing could demonstrate this need better than the non-results of the NPT Review Conference and the continuing stagnation of the CD. There is an opportunity to address some of these deficits at the UN Summit in September. Let us hope that that opportunity is grasped seriously by *all* states taking part.



Freedom from Want

Comments on trade elements of the UN Secretary General's Report, *In Larger Freedom*

MDGs (paragraphs 28-46)

The Secretary General is correct to highlight the extraordinary international achievement that the Millennium Development Goals (MDGs) represent. The MDGs provide a good basis for the international community to respond to the challenges of poverty and development.

The Secretary General is also correct to point out that "Each developing country has primary responsibility for its own development." He goes on to say: "... without good governance, strong institutions and a clear commitment to rooting out corruption and mismanagement wherever it is found, broader progress will prove elusive."

The challenge to developing countries is clearly spelt out. But what about the challenge to developed countries - it takes two to tango? Goal 8 of the MDGs does talk about the need for the developed world to increase aid spending and make debt servicing sustainable. Neither of these measures, however, really requires the developed world to restructure their economies, institutions or governance systems. And it is precisely here, in the developed country systems, that some of the root causes of poverty and under-development can be found.

For example, the MDGs hope to improve access to health care, education and food security for developing countries. However,

the control over the resources required to meet these goals is in the hands of companies based in the EU, USA and other developed countries. Patents on pharmaceuticals and copyrights over education materials put control of these resources beyond the grasp of developing countries. Even life-forms, plants and genetic resources are increasingly being patented by companies in the EU and USA, with serious implications for food security.

Trade (paragraphs 55-56)

How sustainable are the MDGs if control over the means of production and distribution is held in the developed world?

The Secretary General understands this problem. In terms of international trade, he states: "An urgent priority is to establish a timetable for developed countries to dismantle market access barriers and begin phasing out trade-distorting domestic subsidies, especially in agriculture." In other words, loosen up control and allow competition.

However, there is little progress in the negotiations at the World Trade Organisation (WTO). One reason is that opening up markets in sectors where developing countries are competitive will mean that EU and USA companies lose market share. For politicians in these countries it may be easier to increase aid and forgive debts, than to open markets to

competition from developing countries.

Biodiversity (paragraph 59)

This trend can also be seen in relation to biodiversity. The Secretary General highlights the need for governments to implement the Convention on Biological Diversity (CBD). The CBD includes measures that would allow developing countries to control access to their genetic resources, providing income and some protection from bio-piracy. The reaction from parts of the business sector is telling: the Pacific Research Institute claims that the CBD would cost industries in the EU a total of USD 79 billion. We should again ask the question, is it easier for the EU and USA to increase aid or to start sharing control over resources?

Migration (paragraph 71)

The debates around migration also serve to highlight the problems of control and competition. At the WTO, negotiations on trade in services are stalled because companies in the developing world are being denied market access. Managers, accountants, lawyers, technicians and mechanics that are EU or USA nationals can visit clients anywhere in the world to promote their business and fulfil contracts. This opportunity is not reciprocal, which puts developing country companies at a serious disadvantage.

The Secretary General has placed 'Freedom from Want' in the broader context of human security and the UN system. Poverty and hunger are destabilising influences on security and peace. We do have the resources and mechanisms to meet the MDGs, but it is not clear if the political will exists in the rich, developed world to make this happen.



Women, Crime and Prisons: Quakers Promoting New Visions

QUNO is exploring new opportunities in the United Nations crime bodies to focus international attention on the distinct needs of women in prison and their children.

UN Crime Congress, Bangkok

Quakers are no strangers to the UN criminal justice scene. Representatives of Friends World Committee for Consultation (FWCC) have participated in the five-yearly **UN Congresses on the Prevention of Crime and the Treatment of Offenders** for some twenty years.

At the Crime Congress last April, the FWCC delegation made strong representations about the need to focus international attention on women's imprisonment and children with a parent in prison. FWCC's statement asked the Congress to call for review of UN standards and norms in relation to women prisoners. FWCC convened, together with Penal Reform International, the Howard League for Penal Reform and the Canadian Association of Elizabeth Fry Societies, an ancillary meeting: "Too Many Women in Prison". The speakers panel included the Director General of the Thai Ministry of Corrections.

On the instigation of the Thai Government, the Crime Congress' final Declaration included the recommendation that: "... *the Commission on*

Crime Prevention and Criminal Justice give consideration to reviewing the adequacy of standards and norms in relation to prison management and prisoners."

UN Crime Commission, Vienna

The Crime Congresses are complemented by annual sessions of the **UN Commission on Crime Prevention and Criminal Justice**, a subsidiary body of the Economic and Social Council. One of the four priority areas for the Commission's work is **improving the efficiency and fairness of criminal justice administration systems**. This provides an arena in which the international community might develop more progressive approaches to treatment of women offenders, and better provision for their children.

In May, an FWCC delegation, including QUNO's Rachel Brett, attended the 14th Crime Commission. FWCC's statement to the Commission referred to the Congress' call to review the adequacy of standards and norms, and emphasised the need for serious attention to women prisoners.

International standards and norms relating to the treatment of prisoners are largely formulated with reference to the (majority) male prison population. They fail to address the particular ways in which imprisonment affects women. QUNO's research into women in prison identifies urgent issues facing women prisoners: the trauma of separation from their children; vulnerability to violence; widespread mental health problems; lack of facilities for pregnancy, childbirth and post-natal care.

QUNO's work on women in prison is part of a joint project with the FWCC representatives to the UN Crime Commission, the Quaker Council for European Affairs and Quaker Peace and Social Witness

FWCC urged States to recognise and address the particular problems that imprisonment imposes on women, and to promote alternatives to prison for women.

Further, FWCC drew the attention of the Crime Commission to the impact of maternal imprisonment on children, in particular babies and young children who are imprisoned with their mothers. There are scant international standards addressing this practice, despite it being widespread in all parts of the world. QUNO has published draft guidelines that propose standards for treatment and decision-making concerning babies in prison (available on www.quno.org). FWCC encouraged the Crime Commission to consider the need to develop such guidelines - to protect and promote the rights, articulated in the *Convention on the Rights of the Child* and other international instruments, of children who live in prison with a parent.

FWCC will again participate in the UN Crime Commission in May 2006. In the lead-up to that session, we seek to build support amongst governments and civil society for developing better approaches to dealing with women offenders and safeguarding the best interests of their children.

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General QUNO News

Friends World Committee for Consultation was formally given Observer Status with the International Organization for Migration at a Special Session of the IOM Council on 9 June. **David Atwood** represented FWCC at this meeting and made a brief statement to the Council.

Rachel Brett lectured on child soldiers and on armed groups at the *Challenges to International Humanitarian Law* course at the Institute for Human Rights at Åbo Akademi University, Finland. In August, she will lecture on NGOs as part of the Institute's *Advanced Human Rights* course.

Martin Watson visited Washington DC for meetings with the World Bank and NGO groups following the GATS Mode

4 negotiations at the WTO. QUNO hopes to establish a group of contacts in DC that can assist with policy discussions on GATS Mode 4. Martin also participated in the third Africa Forum on IP and Development in Dakar, Senegal. QUNO's presentation focused on the Commission on Intellectual Property Rights and the Development Agenda in WIPO.

David Atwood and **Rachel Barker** attended the second Biennial Meeting of States to consider the implementation of the *Programme of Action on Small Arms and Light Weapons*, in New York. David stayed on for the Global Conference *From Reaction to Prevention: Civil Society Forging Partnerships to Prevent Violent Conflict and Build Peace*, from 19 - 21 July.

QUNO brought a delegation from gun-affected areas to these meetings, and ran side events to raise awareness of the connection between the "demand" for small arms and initiatives for the reduction of armed violence.

QUNO Programme Assistants **Rachel Barker** and **Megan Bastick** leave us at the end of July. Rachel will return to the UK to live on a houseboat and see what career paths open up for her! Megan will join the Geneva Centre for Democratic Control of Armed Forces. Two new PAs begin in September: **Laurel Townhead** will work with Rachel Brett on Human Rights & Refugees, and **Nico Tyabji** with Martin Watson on Global Economic Issues.

QUNO Summer School

Between 26 June and 8 July, 26 young people met here in Geneva to take part in QUNO's annual Summer School. They participated in a programme of lectures and discussions, presented by diplomats, UN staff, NGO representatives and our own QUNO staff members,

designed to give them an insight into multilateral relations in Geneva.

This year the group was a thoroughly international gathering, coming from places as diverse as Australia, Zambia, Bangladesh, Guatemala, Britain

and Azerbaijan. It was a fantastic two weeks and thoroughly enjoyed by both students and staff. Our thanks to all those who gave up their valuable time to come and speak to the group, and to all the QUNO staff who helped to make it happen.

QUNO Publications, available online

www.quno.org

QUNO Geneva *Annual Report 2004*

"*Developing International Norms and Standards to meet the Needs of Women in Prison*" statement of Friends World Committee for Consultation to the 11th United Nations Congress on Criminal Justice and Crime Prevention, Bangkok, April 2005

"*Don't Forget the Children*" joint NGO statement to the 11th United Nations Congress on Criminal Justice and Crime Prevention, Bangkok, April 2005

"*Standards and Norms - Women in Prison*" statement of Friends World Committee for Consultation to the 14th United Nations Commission on Crime Prevention and Criminal Justice, Vienna, May 2005

Compilations of documents submitted to and resolutions of the UN Commission on Human Rights, 61st Session regarding: *Women in Prison and Children of Imprisoned Mothers, Conscientious Objection and Standing Invitations*

The Right to Conscientious Objection in Europe: A Review of the Current Situation, Quaker Council for European Affairs, April 2005, available at: <http://www.quaker.org/qcea/coreport/index.html>

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