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H.E. Ambassador Jean Ping  
President of the General Assembly  
New York

Dear Ambassador,

The Quaker United Nations Offices in both New York and Geneva wish for the most positive and constructive outcome for the High Level Plenary Meeting of the General Assembly in September 2005. We participated with you in the June Informal Interactive Hearings of the General Assembly with Non-governmental Organizations, CSOs and the Private Sector and were led by that experience to focus attention on a few of the issues under discussion that are of particular concern to our offices and upon which we feel we have a contribution to make to the evolving discussion. Please find attached a memorandum outlining the particular points we hope will be considered. This memorandum is based on the August 5 version of the Draft Outcome Document.

We hope you will find our perspectives and recommendations of interest and of use as you negotiate the evolution of this United Nations organization so important to our common future.

Sincerely,

Jack Patterson  
Quaker United Nations Representative  
New York

David Atwood  
Quaker United Nations Representative  
Geneva

## **Quaker United Nations Office Joint Submission to the preparation for the High-level Plenary Meeting of the General Assembly of September 2005**

In the critical weeks before the High-level Plenary Meeting of the General Assembly of September 2005, the Quaker United Nations Office (QUNO) wishes to add its voice to the many urging Member States and the wider United Nations community to seize this opportunity to strengthen and preserve the United Nations, which we believe to be the very core of the multilateral system required to meet today's global needs. We wish through this submission to point to some areas that we feel are of particular importance as efforts are made to strengthen that system's capacity to prevent, mitigate and remove threats to peace and collective security, economic development, human rights, and human security.

### **Development**

QUNO welcomes the attention given to economic development and its relation to other peace and human security issues in the current version [5 August 2005] of the General Assembly draft document for the outcome of the high level plenary meeting (hereafter "DOD") and in the Secretary-General's 21 March 2005 Report "In Larger Freedom" (hereafter "ILF") on which it draws. Promoting the Millennium Development Goals (MDGs) and the completion of the Doha Development Round are indeed critical steps in tackling poverty and increasing security in general. The DOD, however, fails to sufficiently address the dominant economic and trade position held by developed countries and how this structural imbalance itself forms an obstacle to development and security.

Quakers believe that we are all called to be good stewards of what we have and remain sensitive to the needs of others and that we must also examine the ways in which our own life-styles and behaviour may increase inequalities. We would therefore encourage the General Assembly to be more forthcoming on the measures developed countries should undertake to ensure that global economic and trade rules do not perpetuate inequality.

#### *Global partnership for development (DOD, paragraphs 18 – 21)*

The MDGs provide a sound basis for the international community to respond to the challenges of poverty and development. Goal 8 of the MDGs calls on the developed world to increase aid spending and make debt servicing sustainable. These measures, however, make no demands on the current economic and trade interests of developed countries. How sustainable are the MDGs if control over the means of production and distribution are held nearly exclusively in the developed world?

#### *Trade (DOD, paragraph 24)*

While Secretary General in ILF states that "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," there is little progress in the negotiations at the WTO. Developed countries must heed the call in the DOD (paragraph 24 point 2) to "provide immediate duty-free and quota-free market access for all exports

from the least developed countries to the markets of developed countries . . . and support their efforts to overcome their supply side constraints." We suggest as an addition to this language "particularly in agriculture and services, including Mode 4."

*Protecting our Common Environment* (DOD, paragraph 34)

We support the language of the DOD on biodiversity (paragraph 34, pt 5). To this language we would add: "accede to and implement the International Treaty on Plant Genetic Resources for Food & Agriculture", and "ensure that other international treaties covering genetic resources are supportive of the Convention on Biological Diversity and International Treaty including the agreement on Trade Related Aspects of Intellectual Property Rights."

*HIV/AIDS and other health issues* (DOD, paragraph 35)

To the language in this section of the DOD, we would urge the addition of the following language to pt. 2, "using all international instruments available including use of compulsory licenses for generic drug production and distribution."

*Science and Technology for Development* (DOD, paragraph 38)

We suggest the addition of the following language to point 2: ". . . through fulfilment of existing treaty commitment on technology transfer taking special care to overcome barriers created by intellectual property protection."

*Migration* (DOD, paragraph 39)

The DOD draws attention to the "important nexus between international migration and development." We urge additional attention in this paragraph to issues of denials of market access on trade in services, discussions currently stalled in the WTO. Such denial of access to markets in the developed world by business from developing countries puts them at a serious disadvantage, thus further slowing development in these countries.

*Meeting the special needs of Africa* (DOD, paragraph 44)

In point 9 of this paragraph we suggest the addition of the following phrase "through voluntary license mechanisms and for countries to make use of compulsory licenses" following the resolution ". . . to make anti-retroviral drugs affordable and accessible in Africa. . ."

## **Peace and Collective Security**

The Quaker United Nations Office supports the broader concept of security reflected in both ILF and the DOD, an important recognition not only of the critical challenges posed by weapons threats but also how poverty, environmental degradation, and the abuse of human rights undermine human security and are themselves factors fuelling violent conflict and war. As stated in ILF, the call for "investment in prevention, peacemaking, peacekeeping, and peacebuilding" is vital to guaranteeing the sustainability of security for all people.

*"Pacific Settlement of Disputes"* (DOD, paragraphs 50 – 53)

The prevention of armed conflict has emerged as a crucial dimension of thinking about viable responses to conflict. We would go beyond the language offered in paragraph 52 to

suggest a call for a paradigm shift “from reaction to prevention,” as suggested by the Secretary General in ILF. We urge an accelerated approach to the promotion of “a culture of prevention” as called for in paragraph 51. The proposals contained in paragraphs 50 - 53 are necessary and desirable, but lack a sense of urgency to move beyond words towards actual implementation. Specific mechanisms to develop a “comprehensive approach to the prevention of armed conflict” are lacking. A Peacebuilding Commission (paragraph 76) could serve part of this need, if mandated accordingly, but would be only a first step in establishing functioning mechanisms and processes to institutionalize the prevention of violent conflict.

*Disarmament and Non-proliferation* (DOD, paragraphs 57 – 64)

Quakers have long held that sustainable peace and development will not be achieved without major steps towards disarmament. We concur with the prominent place given in paragraphs 57 – 64 committing states to new resolve on a broad range of critical weapons-related issues posing threats to the security of states and peoples.

We regret that paragraph 61 is the only reference in the entire DOD to small arms and light weapons, a lost opportunity to demonstrate how the flows, availability and misuse of such weapons are closely linked to other concerns of the DOD, including crime, development, human rights, post-conflict recovery, and peacebuilding. We strongly urge that language be included which draws attention to these linkages and the urgency of action on small arms and light weapons, including those mentioned in paragraph 61. Additionally, we urge that states be called upon to fully implement commitments made in the 2001 Programme of Action on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and to use the Review Conference scheduled for 2006 as a key moment to develop a broadened agenda.

We urge states to pledge themselves to addressing the issue of conventional weapons transfers in general and the adherence to and strengthening of their obligations under international law.

The Secretary General in ILF correctly points to the need to “revitalize our multilateral frameworks”. We regret the failure to address this question at all in the DOD. We therefore suggest a new paragraph which recognizes this need and sets in motion preparation for either a Fourth United Nations Special Session of the GA devoted to Disarmament or a specially called Conference on the institutional requirements of meeting today’s disarmament challenges. The mandate for such a Special Session could include, inter alia, reform or replacement of the Conference on Disarmament; structural requirements for the efficient and sustainable implementation of treaty agreements, and modernization of the relationships with civil society organizations by UN, Treaty, and other disarmament-related structures.

*Peacebuilding* (DOD, paragraphs 76 – 87)

We support the idea of a Peacebuilding Commission (PBC) within the UN system to give greater visibility to and support for both emerging conflicts as well as helping states in the transition from war in post-conflict situations.

We believe that there is a need for a mandate that is inclusive of the whole conflict-cycle, even though consensus among member states is lacking at the moment to broaden the mandate of a PBC beyond “post-conflict” situations. We regret that the latest draft appears

determined to limit the focus of the work of the PBC to “post-conflict” settings and to eliminate the broader language of earlier drafts that could have provided a basis for early stage and preventative initiatives. Eventually it will be desirable to move the lessons of post-conflict experience forward to earlier stages when they are most likely to be effective. If agreement on a broader mandate is lacking by September, we recommend proceeding with a PBC with a narrower mandate to address post-conflict situations, but with an understanding that the initial mandate will be reviewed in 2-3 years with mandate expansion on the table for consideration.

An effective PBC with a mandate to carry out peacebuilding strategies spanning the conflict continuum could serve as a primary vehicle for meeting the interconnected security and development challenges posed by violent conflict. Indeed it will be critical to the success of the PBC to have development strongly represented in the consultations and formation of the “necessary modalities” for the effective operation of the PBC, as proposed in paragraph 86. We strongly recommend the inclusion of specific language in paragraph 86 requiring the inclusion of development concerns and agencies in the initial stages of planning.

We also urge the inclusion of civil society partners in the initial consultation process to design the PBC and note with dismay that the phrase that would have permitted direct engagement with Non-Governmental Organisations (NGOs) in the composition of country-specific meetings of the PBC has been dropped from the latest draft. Partnership with civil society will be indispensable to success on the ground as the PBC proceeds to act on its mandate. The PBC will need to establish a mechanism for civil society to communicate relevant experiences from the field as well as suggestions for action. We further recommend that a Peacebuilding Support Office include staff drawn from civil society with extensive experience in conflict resolution and humanitarian assistance efforts in the field.

## **Human Rights and the Rule of Law**

The Quaker UN Office welcomes the acknowledgement of the essential role of human rights in the DOD (paragraphs 4, 6, 12, 13, 15, 98), and fully endorse the need to strengthen the Office of the UN High Commissioner for Human Rights (paragraph 102), including a significant increase in its funding from the UN regular budget, and the Human Rights Treaty Bodies (paragraph 102).

### *Responsibility to Protect* (paragraphs 118 – 120)

We readily support the general proposition contained in the DOD paragraph 118 in both its parts: namely “that the protection of populations from genocide, war crimes, ethnic cleansing and crimes against humanity lies first and foremost with each individual State.” as well as the proposition that when individual states are unable or unwilling to provide such protection, other actors, including the international community, are obligated to take collective action that is timely and adequate to the challenge. It is no longer possible, morally or politically, to stand aside in the face of atrocities like Rwanda or Srebrenica.

In supporting the broad principle of “responsibility to protect” we see such a responsibility being first of all about the “responsibility to prevent” by using the full range of non-military and non-violent means available. In our view, the greatest potential for protecting civilians

lies in maximizing the real potential of non-military options under Chapters VI and VIII of the UN Charter which are often underutilized or avoided altogether. Priority should be given to non-military approaches that utilize social, diplomatic, humanitarian and other peaceful means. Therefore we reiterate our support for the call in paragraphs 50 – 53 for states to reaffirm their determination to settle disputes by “peaceful means.”

## **Strengthening the UN**

In our commitment to the central role of the United Nations in security, development and peacebuilding around the world, QUNO supports efforts by the Secretary General and the UN member states to reorganize and reinvigorate the UN to be better prepared for the global challenges of today and tomorrow.

The Quaker Peace Testimony challenges us to “build the conditions of peace that ‘take away the occasion of all wars.’” For that reason, QUNO is encouraged by recommendations that will bolster comprehensive peace work through strengthening the General Assembly and ECOSOC, adding a Peacebuilding Commission (see above) and a Human Rights Council, and undertaking reform of the Security Council and improvements in the Secretariat.

### *Security Council Reform* (DOD, paragraphs 133 – 135)

We ask that in their effort to reform the Security Council, member states agree that, in addition to broader representation, they emphasize the improvement of the Council’s working methods to increase the involvement of member states not in the Council, enhance accountability to the broader UN system and increase the transparency of its work. The debate among member states must not be transfixed by angling for power, but rather by fortifying the UN’s most authoritative tool.

### *Human Rights Council* (DOD, paragraphs 138 – 140)

The proposal (paragraph 138) to elevate the status of the UN’s main intergovernmental human rights body to a Human Rights Council is attractive in giving greater visibility and status to such an important issue. However, this must be done in a way that actually enhances the promotion and protection of human rights by retaining the best features of the existing UN Commission on Human Rights, while addressing its weaknesses. Amongst the particular benefits demonstrated by the Commission have been:

- the development of standards;
- the creation and operation of the thematic and country ‘Special Procedures’ to identify and work on human rights issues, address problems or consider the situation of particular groups;
- the interaction and debate engendered by the process of multilateral diplomacy;
- the capacity of NGOs to address an intergovernmental human rights body and participate in the interaction in and around the Commission providing direct access to many Government representatives and negotiations (both resolutions and standard-setting); and
- the increasing involvement in and exposure of national human rights institutions to the international human rights scene.

It is essential that these be valued and preserved, including the recognition that the Commission is more than the 'end product' of resolutions proposed, adopted or rejected.

The DOD should specify that the provisions for NGO consultative status that exist in ECOSOC resolution 1996/31 should also be applied to the Human Rights Council as though it were a subsidiary body of ECOSOC (paragraph 138), but that the process for granting and reviewing consultative status be a technical one; and that the established practice of NGO participation in the work of the Commission on Human Rights be carried over into the Council.

One of the current weaknesses of the Commission is that (with rare exceptions for Special Sessions) it meets only once a year in substantive session. The proposal to have a 'standing body' deserves support, although it must ensure an appropriate balance between shorter, more frequent meetings and a substantive meeting of a level and duration as to draw both the NGO and governmental human rights community from around the world.

*Secretariat and Management Reform* (DOD, paragraphs 141 – 149)

Quakers recognize that the vision of the world we would like is often different from the world in which we live. We believe the Secretariat's mandate will be strengthened by establishing complementary governance structures, creating a senior advisory body or Cabinet, and streamlining mandates within the organization. We urge member states also to answer the Secretary General's call to improve the humanitarian response system by providing predictable funding and safe space for aid workers, as well as by establishing standard care for millions of internally displaced people around the world by adopting his guiding principles as the basic international norm.

*Regional Organizations* (DOD, paragraph 152)

We are pleased the DOD offers ways to improve coordination and responses to local needs by creating stronger links to regional bodies and ensuring greater autonomy for UN country teams. We urge UN member states, in their efforts to strengthen capacities of regional bodies, to make a long-term commitment to partnership with regional organizations. We ask, however, that in doing so, member states not seek to unload issues that require the involvement of the entire international community, such as issues of complex humanitarian crises and conflict, onto regional bodies.

*Participation of NGOs, civil society and the private sector* (DOD, paragraphs 154 – 155)

We urge that, in addition to the affirmation of the important role of civil society participation in the UN system, member states also develop specific recommendations to improve interaction between civil society and the UN system, including establishing regular reporting opportunities for NGOs within UN bodies, promoting public meetings and information sharing, and continuing to strengthen partnerships in field operations.

**Conclusion**

The Quaker UN Office believes the hope of a just and peaceful world, enshrined in the Charter, must remain as the centrepiece for UN reform. This will require determination to move from stale and predictable public debate to an open spirit of genuine listening to and attention to the understandable and legitimate concerns and fears of all actors. Progress will

continue to elude the multilateral system so long as some nations seek to unilaterally impose their own narrow national interests over the commonwealth and so long as other nations continue to obstruct serious efforts to address the appalling treatment of peoples within their midst. Member states must move beyond standard responses and seek the creative consensus necessary for collective action that will redeem and reinvigorate the UN system for the 21<sup>st</sup> Century.