

## **The UN World Summit must show new determination to live up to the Millennium Declaration**

### **Oxfam International's Response to 5 August draft outcome document**

A successful outcome to September's UN World Summit is essential. A strong and effective United Nations, genuinely supported by the world leaders gathering in New York, is indispensable to the fight against poverty and insecurity. The multilateral system, with the UN at its centre, stands at a crossroads. The Summit provides the chance to begin a new era in which governments really are determined to improve the lives of the millions of people who live in poverty and insecurity – and provide aid and protection to people suffering from conflicts and natural disasters. To do that, governments must rise to the challenge. World leaders must show leadership and deliver the level of ambition and commitment demanded by millions of people around the world united in the Global Call to Action against Poverty (GCAP). All of them are watching to see that their leaders deliver.

The latest draft outcome for September's UN World Summit, issued on 5 August, sets out some important commitments for the international community to live up to in the years to come. In particular, it proposes a historic commitment to a shared responsibility to take collective action to protect people from genocide and crimes against humanity.

However, the draft remains short on vision and ambition. It fails to recognize that, unless much greater efforts are made, the Millennium Development Goals (MDGs) and the other aims of the Millennium Declaration agreed in 2000 will not be met. The draft misses the fact that governments have already failed to reach the first MDG: to get as many girls into school as boys by 2005.

Governments and world leaders must do three things over the coming weeks. Firstly, they must retain in the final Outcome Document for the summit the positive commitments on tackling poverty and insecurity contained in the 5 August draft. It would be a failure of leadership, and a failure for the Summit, if the draft were now weakened. Even if insufficient, this draft's vital language on development must be retained in the final outcome document.

Secondly, governments should agree to the specific amendments outlined below in order to include concrete commitments. Thirdly, world leaders, in their Summit speeches, must provide the vision and passion to recognize the Summit as a wake-up call demanding a dramatically greater effort to live up to the Millennium Declaration – and provide security and development for all.

Taken together, the Summit could then succeed to deliver:

- **An affirmation of governments' Responsibility to Protect civilians in armed conflict – and their shared responsibility to take collective action when national authorities are unable to do so**
- **An ambitious plan to meet and exceed the Millennium Development Goals by 2015 – including action on debt, aid, trade and free basic services**
- **A commitment to an Arms Trade Treaty based on human rights and international humanitarian law**
- **An agreement to improve vastly the international response to all humanitarian disasters**

These commitments would make a difference to millions of people around the world. They would start to address the two vital statements that the draft outcome begins with – “that development, peace and security and human rights are interlinked and mutually reinforcing and cannot be enjoyed without each

other.” As Oxfam works with people facing violence, terrorism and war around the world, this is fundamentally important. But equally important is the outcome’s commitment “that development is a central goal by itself.” It is vital to remember that poverty still kills far more people than today’s tragic violence. Now is the time to reaffirm our commitment to eradicate poverty as well as provide security for all. This demands more and better aid, trade justice and debt cancellation, as well as national action to meet and exceed the promises of the Millennium Declaration and MDGs in each country. All these aspects should be retained in the final Outcome Document for the summit.

If the Summit commits to action in this way, it will show the unique ability of the United Nations to mobilize global action to resolve global problems. Behind all the diplomatic activity to gain new seats on the Security Council, governments should remember that it is for this purpose – to reduce poverty and insecurity – that the UN exists.

### **1. An affirmation of the ‘Responsibility to Protect’ civilians in armed conflict**

Oxfam welcomes the draft wording on Responsibility to Protect. It is vital that this is retained in the final summit outcome without being weakened in any way. In particular, the summit must retain the commitment to the “shared responsibility to take collective action, in a timely and decisive manner, through the Security Council under Chapter VII ...”

From Rwanda to Darfur, UN member states have failed to mobilise in a timely fashion the political will and financial resources necessary to protect civilians in times of extraordinary humanitarian crisis. The United Nations, and particularly the Security Council, must make a firm and fundamental institutional commitment to take action, where necessary, to protect civilians.

Oxfam recognises the concern of some governments that the doctrine of the ‘responsibility to protect’ may be used as a blanket provision to justify military intervention. But adequate safeguards can and must be established to prevent such abuses, whilst making international action to protect civilians in danger more consistent and effective.

Firstly, Oxfam stresses that enforcement action should be considered only in cases of large-scale loss of life, including ‘genocide, war crimes, ethnic cleansing, and crimes against humanity’.

Secondly, in considering whether to authorise or endorse the use of military force, Oxfam believes that the Security Council should always address – whatever other considerations it may take into account – at least the following five basic criteria of legitimacy: seriousness of threat, proper purpose, last resort, proportional means, and the balance of consequences. Under all circumstances, the use of force must not inflict suffering on civilians or damage to civilian infrastructure that is disproportionate to its military purpose, as already set out in international humanitarian law. These guidelines for authorizing the use of force should be embodied in declaratory resolutions of the Security Council and General Assembly.

#### **Minimum Commitments on the Responsibility to Protect:**

Paragraph 118 should be retained without any significant cuts.

Paragraph 119 should be revised to read:

“We *urge* the permanent members of the Security Council...”

Paragraph 56 should be revised to read as follows:

“We recognise the need to continue discussing principles for the use of force, as identified by the Secretary General, and call for declaratory resolutions of the Security Council and General Assembly embodying such principles, and we affirm that such principles must be among the factors considered by the Security Council in deciding to authorise the use of force under the Charter.”

## 2. An ambitious plan to meet and exceed the Millennium Development Goals by 2015

At the current rate of progress, many MDGs will be missed in many parts of the world. It is therefore fundamentally important that if governments are really concerned by the slow and uneven implementation of the internationally agreed goals, they *at least* retain the draft document's commitments to development and make further measurable commitments to improve future performance and resources to achieve the MDGs by 2015.

Oxfam welcomes the document's commitment to provide debt relief to middle income countries, and enhanced commitments on HIV/AIDS and the protection of women and girls from violence. Oxfam also welcomes the commitment to launch a global initiative to strengthen national health systems in developing countries, provided that such an initiative reinforces and builds upon country-led, national plans and strategies; provides sufficient, predictable and sustainable financing; and is accompanied by policies aimed at enabling the recruitment and retention of health workers, investing in infrastructure and recurrent costs, and providing universal free access to basic health services.

However, a significant backwards step in the latest draft is the weakened commitment to allow developing countries the required policy space to formulate their national development strategies. Also, in the crucial areas of Financing for Development, Debt, Trade, and Education, the document does not adequately respond to the severity of the world's poverty crisis. It does not make the concrete, measurable commitments necessary to meet the MDGs and eradicate poverty.

### Minimum Commitments on Financing for Development:

Paragraph 19 should be revised to read:

- "We reaffirm our commitment to the global partnership...*based on mutual responsibility and accountability.*"

Paragraph 21, Bullet # 7 should be revised to read:

- "... we will support, starting in 2005, efforts by developing countries to adopt and implement national development policies and strategies, through increased *and untied* development assistance...*allowing developing countries the required policy space to formulate their national strategies.*"

Paragraph 22, Bullet #2 should be revised to read:

- "We commend those developed countries which have achieved or surpassed the target of providing 0.7 per cent of gross national income for official development assistance, welcome the establishment of timetables by other developed countries to achieve the target, and *urge all developed countries to put such timetables in place by the end of 2005 to achieve the target of providing 0.7 per cent of gross national income for official development assistance by 2010*; we also urge..."

Paragraph 22, Bullet #3 should be revised to read:

- "...resolve to take concrete, effective and timely action, *including through the establishment of binding targets such as, inter alia, the immediate untying of all aid, and the establishment of national and international mechanisms for monitoring these targets*, in implementing all agreed commitments on aid effectiveness, including through *minimizing and streamlining conditionalities*, further aligning assistance with countries strategies..."

Paragraph 22, Bullet #4 should be revised to read:

"...agree to consider further other solidarity contributions that would be nationally applied and internationally coordinated, *such as a tax on international currency transactions, with the understanding that resources generated by such mechanisms be in addition to, and not a substitute for, donors' commitments to reach 0.7% of GNI for overseas development assistance...*"

An additional Bullet should be added to Paragraph 22 to read:

- "We agree to establish, by 2006, an independent UN ombudsperson to monitor the fulfillment of the ODA commitments made by developed countries, including commitments on aid effectiveness."

#### **Minimum Commitments on Debt:**

Paragraph 23, Bullet #1 should be continued to read:

- "...we further ask all international financial institutions, including the World Bank and IMF, to extend such debt cancellation to all of the poorest countries where relief is needed to achieve the MDGs and eradicate poverty, whilst emphasising in all cases the need for donors to provide additional resources to ensure that the financing capacity of these institutions is not reduced."

Paragraph 23, Bullet #2 should be continued to read:

- "...consistent with attaining sustainable growth, poverty eradication and sustainable development."

Paragraph 23, Bullet #3 should be revised to read:

- "...significant debt reduction and cancellation for many heavily indebted non-HIPC LDCs, low and middle income developing countries, *based on the amount of debt cancellation required in order to reach the MDGs and eradicate poverty.*"

#### **Minimum Commitments on Trade:**

Paragraph 24 should be revised to open: "We recommit to promote a rule-based, open, non-discriminatory and equitable multilateral trading system..."

Paragraph 24, Bullet#1 should be revised to read:

- "...and to successfully complete the World Trade Organisation Doha round of multilateral trade negotiations as soon as possible;

Paragraph 24, Bullet #2 should be continued to read:

- "...to the markets of developed countries; and support their efforts to overcome their supply-side constraints as well as volatile commodity prices and declining terms of trade."

Paragraph 24, Bullet #3 should be revised to read:

- "Support and promote increased aid to build productive and trade capacities of developing countries, *especially least developed countries, and to immediately commit additional resources in this regard, with no conditionality related to trade policies in the recipient countries.*"

Paragraph 24, Bullet #4 should be revised to read:

- "Work to accelerate and facilitate the accession of *least developed countries*, developing countries, and countries with economies in transition to the WTO, *on terms that are fully reflective of special and different treatment*, in recognition of the importance of universal integration in the rule-based global trading system;"

An additional Bullet should be added to Paragraph 24 to read:

- "Stress the need to urgently amend the TRIPS Agreement and implement the relevant aspects of the WTO Declaration on TRIPS and Public Health as a permanent solution to the public health problems of developing countries with insufficient or no manufacturing capacity."

Paragraph 32 on Rural and Agricultural Development should be briefly extended to conclude:

- "...for developing countries, *and to safeguard developing country governments' policy space to institute pro-poor agricultural policies;*"

Paragraph 44 on the Special Needs of Africa, Bullet #5 should be revised to read:

- "...and multilateral trade negotiations. *Technical assistance for negotiations should not be donor-driven. It should focus on development rather than WTO compliance;*"

Paragraph 44, Bullet #6 should be revised to read:

- "... commodity sectors *and commit also to work on the development and experimentation of multilateral mechanisms to regulate the global commodities markets and establish fairer prices;*"

Oxfam welcomes the document's recognition of the central role of **education** in achieving the MDGs and eradicating poverty. We particularly welcome the reference to the Education for All Fast Track Initiative as a key channel for education financing.

However, we are still deeply concerned that there is no reference to the fact that the first MDG target to fall due – that on gender parity in primary and secondary education – will be comprehensively missed in 2005. Failure to meet the target means that 60 million out-of-school girls continue to be denied their right to an education. As well as being a fundamental right, girls' education is also critical to the empowerment of women, and closely linked to improved child and maternal health, reduced HIV transmission and economic growth. Unless world leaders take drastic action now, unacceptably slow progress on girls' education will seriously jeopardise the achievement of all the other MDGs.

#### **Minimum Commitments on Education:**

Paragraph 36, Bullet #1 should be revised to read as follows:

- "*We deeply regret the failure to reach the goal of eliminating gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015. We agree to redouble efforts to eliminate gender inequalities in primary and secondary education and to ensure rapid progress towards guaranteeing that all girls have access to a safe and welcoming place to learn, so that all girls and boys may complete a full course of primary education, with gender equality in learning achievements, by 2015.*"

### **3. A commitment to an Arms Trade Treaty based on human rights and IHL**

Oxfam fears that the paramount importance of combating the proliferation and misuse of small arms and light weapons, and indeed of all conventional arms, is not adequately reflected in the draft outcome Document. Basic security for the world's most vulnerable people cannot be realised, nor the Millennium Development Goals achieved, without a fundamental international commitment to end the uncontrolled spread of arms. The proliferation and misuse of *all* arms fuels conflict, undermines development, and contributes to countless violations of human rights and international humanitarian law.

Oxfam warmly welcomes the Document's inclusion of the High Level Panel's recommendation for an international instrument on the *transfer* of small arms and light weapons. This must be reflected in the final outcome of the Summit. However, Oxfam regrets the removal of the commitment that such an instrument, together with a complementary instrument on arms brokering, be legally binding, and urges that this commitment be reinserted. States that export arms have a moral and legal responsibility to ensure that such arms are not misused for human rights violations, breaches of international

humanitarian law, or to otherwise undermine the security and development of people and their communities.

We also regret the ambiguous wording that the instrument should regulate 'illicit brokering, trade and transfer'. The uncontrolled transfer of legal arms, and the supply of legal arms to the illicit trade, creates substantial human suffering. The wording should be improved to clearly refer to *all* trade and transfer, and of course illicit brokering.

While we welcome the 5 August draft's reference to the UN plan of action on small arms, this fails to make the key point that the UN Conference to review that plan in 2006 provides a vital opportunity to work towards the legally-binding agreements mentioned above.

**Minimum Commitments on Small Arms and Light Weapons:**

Paragraph 61 should be revised to read as follows:

*"Recognizing that the proliferation and misuse of small arms and light weapons continues to be a serious threat to peace, stability and sustainable development, we commit to adopt and implement legally-binding international instruments to regulate the marking and tracing, the trade and transfer, and the illicit brokering of small arms and light weapons. We commit to implement the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects. We also commit to use the 2006 Review Conference to develop a broadened agenda for action, including the adoption and implementation of legally binding agreements to regulate the marking and tracing, trade and transfer, and illicit brokering of small arms and light weapons, based on states' existing responsibilities under human rights and international humanitarian law."*

**4. An agreement to improve vastly the international response to all humanitarian disasters**

Oxfam welcomes the commitment to ensure stronger coherence in the international humanitarian system. It is vital to retain the humanitarian principle of independence in paragraph 151.

There is an urgent need to increase the scale and efficiency of the international humanitarian response to people in need, and to put an end to the grossly unequal international commitment to addressing such emergencies in different parts of the world. Respect for international humanitarian law and commitment to humanitarian principles, action to ensure access of civilians to assistance, predictable and sufficient funding, and effective coordination are all vital aspects of this and are rightly included. While welcome, they must be incorporated into a more explicit and ambitious programme of reform.

**Minimum commitments on improving the response to all humanitarian disasters:**

Paragraph 111 should be revised to read as follows:

*"... standard for protection of internally displaced persons and commit ourselves to implementing these principles through national legislation and practices..."*

Paragraph 151, Bullet #9 should be revised to read:

- *"...by ensuring that sufficient emergency funding to meet needs is available immediately, in part by contributing an additional US\$1 billion to a revised Central Emergency Revolving Fund and ..."*

Bullet #12:

- *"Strengthening headquarters and field coordination structures and the leadership role of the UN Emergency Relief Coordinator by giving the him or her greater authority over, and accountability for, the direction of UN humanitarian operations in each crisis, including on the assessment of needs, the strategy of the response, the allocation of responsibilities and their consequent resources, and the appointment of UN Humanitarian*

*Coordinators of the highest calibre, reporting to him or her, with the capacity - and authority - to direct the operations of other UN agencies."*

Oxfam further recommends that two further points be added reading:

- "Developing performance benchmarks for humanitarian response in a particular setting, building on the standards of the *Sphere* Humanitarian Charter, which should act as a focus for coordination, enable better prioritization of resources at global levels, and promote accountability."
- "Making faster progress towards a process to measure humanitarian need that is comparable from one setting to another to underpin the provision of assistance according to need."