

Youth With A Mission England's Commentary on "The President's Draft Negotiating Document for the High-Level Plenary Meeting of the General Assembly of September 2005 submitted by the President of the General Assembly---6 September 2005"

Youth With A Mission England, an NGO in special consultative status with the United Nation's Economic and Social Council representing 14,000 people in over 160 countries, would like to take this opportunity to comment on the September 6<sup>th</sup> version of the Draft Negotiating Document submitted by the President of the General Assembly (GA) for the High-Level Plenary Meeting of the GA in September 2005.

We would like to commend the President of the GA and delegates from member states for their hard work and commitment to the negotiations. We are pleased to note that many of the recommendations from the NGO community during the meetings that the GA held in consultation with civil society in June have been included in the draft outcome document.

Although we are pleased to note that the draft outcome document now includes substantial paragraphs on gender equality, we are still concerned by language in the document, particularly in paras. 44 and 45 that portray gender equality in utilitarian terms rather than as a fundamental human right regardless of the impact it has on development.

Specifically, with respect to para. 44, we urge delegates to adopt the language in brackets to "reaffirm the full and effective implementation of the goals and objectives of the Beijing Declaration and Platform for Action. With respect to c), we would recommend that delegates retain the original agreed language from the Beijing Platform for Action with respect to sexual and reproductive health rights. With respect to f) we recommend that the delegates retain the language in brackets. Finally, with respect to g) we urge the delegates to adopt the language, "promote equal participation of men and women in government decision-making bodies.

With respect to para. 73 bis on terrorism, we recommend delegates retain the original text rather than any of the six alternative paragraphs. Depending upon a person's perspective, one person's freedom fighter is another person's terrorist. We would argue that there are situations where peoples within nation-states do have a legitimate right to struggle for their independence and self-determination and that this needs to be officially recognized.

We would like to reiterate the need for the GA to come up with a definition of terrorism that also recognizes the root causes of terrorism. We recommend that any comprehensive convention on international terrorism identify and address the root causes of terrorism and prioritize developing strategies to address these root causes in addition to developing those that combat existing situations of terrorism.

We would recommend that the original para. 109 be retained as it best recognizes the historical, religious, and cultural diversity within various societies. Strategies for realizing human rights in each culture must be contextual and specific to the culture and religion of a historical community if they are to be ultimately effective in achieving their goals.

In para. 111, we recommend that the language, "including the right to development" be retained.

We recommend that paragraph 114 be retained. For human rights to be taken seriously, and for implementation to actually occur on the national level, human rights must be mainstreamed throughout national policy and throughout the UN system at all levels.

We recommend that language in para. 126 be retained. The alternative language in para. 126 alt 1 weakens the UN's commitment to the ICC and existing *ad hoc* and mixed criminal tribunals as a means for ending impunity for the most serious crimes of concern to the international community. The UN was largely formed in response to the genocide of the Holocaust and it would be a travesty to see its commitment that "never again" should such crimes against humanity flourish,

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diluted in its 60<sup>th</sup> anniversary year. Para 126 alt 2 is redundant as the purpose of the Rome Statute in establishing the International Criminal Court is that is a court of last resort that only operates when national judicial systems fail.

We urge delegates to retain paragraph 141. UN Security Council reform is essential in order to reflect current international political realities. The current Security Council reflects the realities of sixty years ago. To remain relevant on the world stage and to fulfill the objectives that the UN was originally set up to fulfill, the Security Council must become more representative. We do not want to see military or economic power become the sole criteria by which States are included in a reconstituted Security Council, but maintain that some states should be chosen for their ability to present an alternative voice that reflects the new broad definition of security elaborated in this draft outcome document. Until the Security Council is enlarged and even once it has been enlarged, we support language that encourages the Security Council to solicit the views of non-members in its decision making.

In para 145, we maintain that for human rights genuinely be one of the three pillars of the work of the UN that it must be a principal organ on the same footing as the Security Council and the Economic and Social Council. To make it a subsidiary organ demotes its importance as part of the overall agenda of the UN. Similarly we support language in para. 146 in brackets that the Human Rights Council be the organ "primarily" responsible for promoting universal respect and observance of all human rights.

With respect to para.146 a) we recommend that each member be elected directly by the General Assembly by a two thirds majority and support the language in brackets that members of the Council "should not include any States subject to measures imposed under Article 41 or 42 of the UN Charter or the subject of a UN Security Council Commission of Inquiry or similar UN Security Council investigation of human rights violations."

Finally, we would like to see the text in brackets in para. 160 be retained. It is important that the private sector be held accountable for playing their part in achieving the Millennium Development Goals.

We look forward to this historic Summit with great anticipation. It is our sincere hope that this Summit will result in the renewal of both the vision and reality of UN as an essential and effective international institution for promoting greater peace and freedom for all the world's citizens. We wish all the delegates well during these negotiations.