

World Federalist NEWS

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New Challenges to World Federalism

By William R. Pace and Angela Edman

This is a tumultuous year – one of the most difficult and disturbing in a long time for the World Federalist Movement. Sadly, we lost a beloved and wise president in Peter Ustinov's passing. But, it has been the politics of 2004 that have caused the greatest depression.

Though spotted with countless individual tragedies, reversals and self-inflicted wounds, the world community as a whole seemed to be progressing steadily since 1988, out of the "mutually-assured-destruction" of the Cold War towards a new international order.

Democracy and freedom rained from the heavens – in Eastern Europe, in Latin America, and in Africa. Military tyrants were themselves being disappeared. International democracy was also growing – in world conferences, in new global environmental and economic agreements, in the historic developments in international law and justice. As a leader in the establishment of the International Criminal Court, WFM enjoyed a front row seat for the unfolding agenda for peace.

Yet these hard-won triumphs for humanity have been violently obstructed in the face of recent geopolitical challenges. The new politics of fear, hate and division are devastating. September 11th, terrorism, the "war on terror," Afghanistan, Iraq, Chechnya. We cannot recall a more dangerous and divided time since 1968.

The "alliances" that helped win the Cold War are being undone; old allies are at each others' throats. Unbelievably, the greatest threat to the United Nations, to international law, and to outlawing aggressive war, at this time, comes not from military dictatorships, but from some of the world's most powerful democracies. It is very difficult for an organization that promotes democracy and peace to watch global disasters being perpetrated by these democracies. As the international political landscape becomes increasingly dominated by unilateralist policies forged in the name of democracy, the work of WFM seems to be getting turned on its head.

The "war on terror" strategy is creating more wars and more terrorists. The "intelligence" justifying the invasion of Iraq was proven wrong. Yet the U.S. and the U.K. governments took their nations, and 30 other countries, to war on this intelligence. Soldiers torture prisoners, and these images captured on film of blatant disregard for human life and international law

end up on front pages all over the world. Thousands more terrorists emerge. The case for "humanitarian intervention" has, as a result, been set back perhaps decades. Do world leaders understand how the people of Darfur are now victims of the invasion of Iraq?

As we continue to watch the daily destruction of innocent civilian lives, packaged more neatly as "collateral damage," we also watch as our leaders expect civilians in Iraq and elsewhere to understand when they hear, "We are occupying your country to promote freedom." It reminds us of a poster from 1968 that read, "Why do we kill people who kill people to show people that killing people is wrong?"

The new politics of fear are taking an ugly shape inside the U.S.A. as well, suppressing civil liberties and unraveling original federalist structures. Can suicide bombers really be allowed to undermine fundamental political and governance principles and institutions – even nations – worldwide? Democracies rarely go to war against each other. This, we believe, is because democratic systems have the rule of law, independent courts, separation of powers, and the checks and balances to ensure accountability and fairness. When democracies decide to act undemocratically against their enemies, against their allies, against international law... the very fabric of civilization is threatened.

But the fact that nations advocating democracy and the rule of law at times fail to live up to their own standards does not invalidate the fundamental principles of democracy.

President Bush when describing what kind of constitution could bring freedom and democracy to Iraq said it must be "democratic" and "federal." This is true, but you cannot militarily impose democracy and federalism.

Do people believe that military might can vanquish hatred and violent religious fundamentalism? Are people willing to sacrifice all their freedoms and democratic principles to military choices? Are we ready to settle for the belief that military might is better than civilian law?

This, as the reader can tell, is a personal column. We cannot prove that democracy and the rule of law are stronger than the rule of might and fear. But, as Einstein asked so long ago, which world do you want to live in?

William R. Pace is Executive Director of the World Federalist Movement – Institute for Global Policy, and Convenor for the NGO Coalition for the International Criminal Court. Angela Edman is Program Associate and WFM News Editor.

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WFM Announcements

WFM Council Meeting

The World Federalist Movement 2004 Annual Council Meeting will take place from 22-24 October in The Hague, Netherlands. The WFM International Secretariat is organizing this year's meeting in cooperation with Wereld Federalisten Beweging Nederland (WFBN), our Dutch national member organization.

The Hague is a beautiful city behind the dunes and today is still known as "the largest village of Europe." It is also home to the Peace Palace where WFM will be hosting its Public Day event.

The theme of this year's public day event will be: *"Peace and Justice in the 21st Century: What are the Major Challenges to the Advancement of International Justice? Views from the Leaders of the ICC, ICJ, and ICTY"*

Overview of the Program:

Friday, October 22
All Day: Public Day Event
Evening: EC Meeting

Saturday, October 23
All Day: Council Meeting
Evening: Dinner hosted by WFBN

Sunday, October 24
Morning: Council Meeting
Afternoon: EC Meeting

WFM International Secretariat's New Office

After a decade at the United Nations Church Center, the World Federalist Movement is moving to a new location that will serve the needs of our growing staff. We greatly appreciate the work of the building staff, and have enjoyed collaborating with fellow Church Center-based organizations. We will still be in close proximity to the United Nations and our colleagues. Our new address is 708 Third Avenue (corner of 44th Street), New York NY 10017. WFM and the NGO Coalition for the International Criminal Court will be on the 24th floor.

Next WFM Congress Meeting

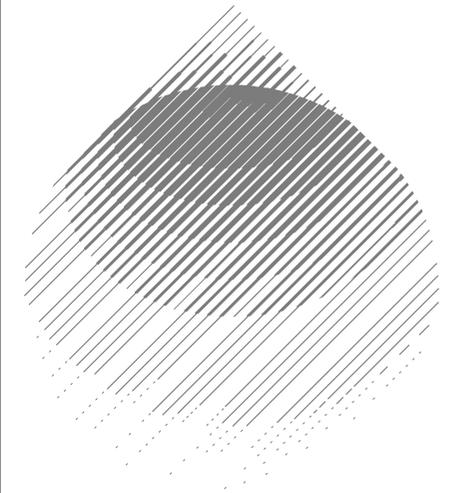
WFM is considering locations for its next Congress Meeting. We urge Council members to communicate to the International Secretariat any thoughts or suggestions for the Meeting.

Sir Peter Ustinov Memorial Service

The family of Sir Peter Ustinov is organizing a memorial service in his honor. It will be held in London on Thursday, November 18, 2004. WFM Executive Director William R. Pace will be among the many attendees. Pace will present a speech celebrating the life of our former president and a great world federalist.

"Today we must look again into our collective conscience, and ask ourselves whether we are doing enough... Each generation has its part to play in the age-old struggle to strengthen the rule of law for all—which alone can guarantee freedom for all. Let our generation not be found wanting."

- H.E. Secretary General Kofi Annan, address to the General Assembly, September 21, 2004



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The New Special Adviser on the Prevention of Genocide: A Chance to Prevent the Preventable

By Clive Baldwin

The announcement of the appointment of Juan Méndez to the new position of Special Adviser on the Prevention of Genocide, has the potential to be one of the major legacies of Secretary-General Annan in moving the UN to a culture of prevention of atrocities. However, in order for this not to be another false dawn, the office, from its inception, should be clear about why it is needed, what it should do and how civil society in particular can support it.

The UN and Genocide

It was not surprising that the appointment of the Special Adviser marked the 10th anniversary of the genocide in Rwanda. That genocide showed how the UN and member states fail to understand genocide, to heed early warnings about it, and therefore fail to take effective action to prevent it.

This is despite the UN having

been at the centre of how the world has come to understand genocide in the last 50 years. One of the first UN international conventions was in 1948 on the Prevention and Punishment of the Crime of Genocide. This both defined the crime and committed each state party to take action both to prevent and punish what became acknowledged as the crime of crimes. However very little was done to develop the international capacity to recognise, prevent and punish this crime, despite the appointment of a Special Rapporteur on Genocide in the 1980s (Ben Whitaker, then Director of MRG).

It has only been with the genocides in Rwanda and Bosnia-Herzegovina that action was taken to develop, at least, the mechanisms to ensure punishment of the crime, notably through the International Criminal Tribunals on Former Yugoslavia and Rwanda (which



Special Adviser for the Prevention of Genocide
Juan Méndez
Credit: www.nd.edu

have secured convictions for the crime of genocide and more fully defined the term) and now with the International Criminal Court. However, it has taken much longer to begin developing a much more effective mechanism so that the UN and its member states can ensure their overwhelming duty to prevent genocide.

The key lesson for the UN from Rwanda was that early warning of genocide from Geneva and UN

missions on the ground did not lead to timely action from New York and the member states. This is part of a much wider problem in that there is an extremely wide ocean between the UN in New York, its human rights mechanisms in Geneva and its field missions, with knowledge and recommendations from one part of the UN rarely leading to action elsewhere.

Key elements of an effective mechanism to prevent genocide

It is clear that effectively preventing genocide requires four basic steps, all of which the new office could lead the world on:

1. Ensuring a basic understanding of what genocide is, what its causes are, and what steps can normally be taken to prevent it.

It is clear from recent discussions in the world about Darfur, that much of the world's leading media, governments and NGOs, whilst acknowledging the importance of the term genocide, fail to understand

Special Adviser continued on Page 8

UN Report Stating 'Engaging with Civil Society is a Necessity not an Option' Raises Questions among NGOs

By Lene Schumacher

On June 21, 2004, the Panel of Eminent Persons on United Nations-Civil Society Relations released their report, 'We the peoples: civil society, the United Nations and global governance.' The Panel, headed by former Brazilian president Fernando Henrique Cardoso, was appointed by UN Secretary-General Kofi Annan in February 2003 to review the relationship between the UN and civil society and suggest new and better ways of engagement with civil society. Through numerous consultations with civil society organizations, the business sector, parliamentarians and governments, the Panel came up with 30 proposals for change of practices for civil society participation in the UN.

This innovative report, known as the Cardoso Report, addresses many relevant areas for improvement of UN/civil society relations. It reaffirms the importance of involving civil society in UN processes and acknowledges the role and growing influence of non-

state actors in enhancing democracy and reshaping multilateralism. It emphasizes that civil society is a necessary partner in effective global decision-making and places the issue of civil society participation high on the UN's agenda. However, it also leaves many questions unanswered and creates uncertainty among the NGOs as to what these proposals will entail. From numerous consultations WFM has learned that many NGOs are skeptical. They question whether, if implemented, the proposals will strengthen or weaken NGOs' current position in the UN.

First of all, the Panel goes beyond just recommending an enhancement of the relation between the UN and civil society. It advocates engagement with a wider range of actors – business representatives, parliamentarians, local authorities and indigenous people. In the support of diversity, the Panel argues that policy-making can be more effective if all parties are involved and accordingly identifies



Panel Chairman Fernando Henrique Cardoso, with Panel Members: Ambassador Bagher Asadi (Iran), Dr. Manuel Castells (Spain), Ms. Birgitta Dahl (Sweden), Ms. Peggy Dulany (USA), Ambassador Andre Erdos (Hungary), Mr. Juan Mayr (Columbia), Ms. Malini Mehra (India), Mr. Kumi Naidoo (South Africa), Ms. Mary Racelis (the Philippines), Mr. Prakash Ratilal (Mozambique), and Ms. Aminata Traore (Mali).
Credit: United Nations

all of these actors as 'constituencies' of the UN's processes.

Particularly, the Panel's focus on the business sector as a 'key constituency for partnerships' has been the source of great concern for NGOs. They question the objectives of business when engaging with the UN, given that businesses are driven by profit and not by UN values or social, cultural and environmental concerns. By bringing the business sector on board as a constituency, the NGOs fear that the asymmetries between

the two groups will not only create confusion about civil society vis-à-vis the for-profit sector, but also reduce the space of civil society. It is no secret that with the amount of economic resources and lack of accountability that businesses represent, their participation in the UN could result in damaging imbalances of power within the Organization.

The World Federalist Movement's main concern in this regard is that the Report advocates an

Cardoso Panel continued on Page 9

The "Responsibility to Protect" in Action

By Nicole Deller

WFM-IGP's project "Responsibility to Protect-Engaging Civil Society" (R2P-CS) is building a network of organizations that are working toward changing the responses of governments, the United Nations and regional organizations to emerging humanitarian crises.

The network seeks to bring together groups from diverse sectors of civil society—including human rights and humanitarian organizations, faith-based groups, human security campaigns, and women's rights—that support "Responsibility to Protect" (R2P) principles set forth in the report of the International Commission on Intervention and State Sovereignty.

Specifically, these groups support the concept that with sovereignty comes the responsibility of the state to protect its citizens from threats of genocide and crimes against humanity, and that when states are unable or unwilling to ensure protection, the responsibility to protect falls to the international community.

The very term "Responsibility to Protect" has great value for NGOs and other parties working to address humanitarian crises. These three words invoke an obligation on the part of the state as well as the international community. It is an obligation that may not be ignored because of competing national interests or because of traditional notions of sovereignty. One goal of the R2P-CS project is to see this term used consistently by NGOs, governments, UN representatives and regional actors to describe the fundamental norm that drives their responses to emerging humanitarian crises.

"Responsibility to Protect" language is being used more regularly by experts and government and international officials in discussions about preventing genocide and other large-scale crimes against humanity. R2P was invoked at the September 2004 General Debate of the UN General Assembly, the Stockholm forum on the prevention

of genocide in early 2004; the commemoration of the Tenth Anniversary of the Rwanda genocide; and during debates of the Security Council on issues such as protection of civilians and the crisis in Darfur. Further details on these discussions can be found on our website.

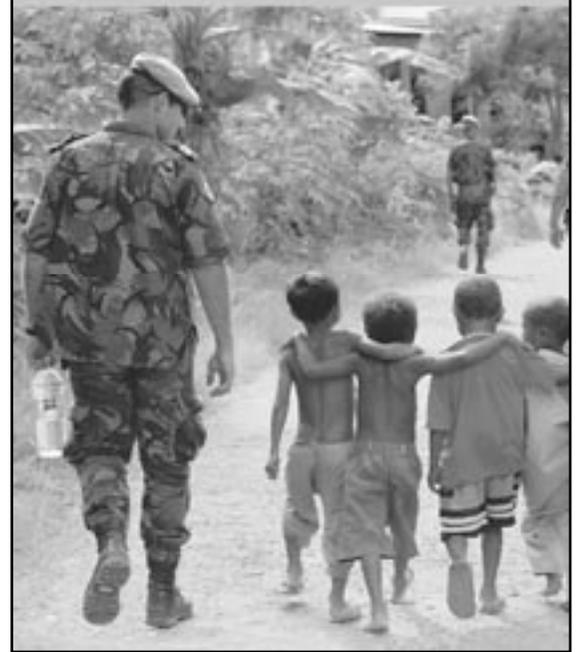
Language versus action

Although familiarity with and use of the phrase "Responsibility to Protect" is growing, the crisis in the Darfur region of Sudan, which has been labelled a genocide by the U.S. government and several prominent NGOs, reflects that true acceptance of these principles has not been achieved. For months, few words were written about Darfur, and there were fewer official outcries. By the time the world's focus turned to this

R2P In Action continued on page 8

RESPONSIBILITY TO PROTECT — ENGAGING CIVIL SOCIETY

A Project of the World Federalist Movement's Program on Preventing Conflicts-Protecting Civilians



The R2P-CS brochure can be downloaded or ordered at <http://www.wfm.org/protect>

Third Session of the Assembly of States Parties to the Rome Statute, The Hague 6-10 September 2004

By Cecilia Nilsson

On 6-10 September, 2004, the 94 States Parties to the Rome Statute of the International Criminal Court (ICC) met in the Netherlands Congress Centre in The Hague for its Third Session. This was the first Assembly meeting not organized by the United Nations Secretariat at the UN Headquarters in New York. Instead, this meeting was organized by the Secretariat of the Assembly of States Parties, which was set up in The Hague in the beginning of 2004.

The meeting was not only attended by States Parties, but also a number of non-States Parties, such as Japan, China, Russia and Cuba that chose to participate as observers. Further, between 200 and 300 representatives of non-governmental organizations (NGOs) had registered to observe the deliberations of the Assembly, under the coordination and facilitation of the Coalition for the International Criminal Court. The agenda of the Assembly was overwhelming, which meant that a large number of decisions had to be dealt with in a rushed way by various

simultaneous informal working groups. This caused difficulties, in particular, for small and/or non-English speaking delegations, as well as for observing states and NGOs.

The primary issue on the agenda

was the adoption of the Budget of the ICC for 2005. This is an issue close at heart for NGOs considering that the Draft Budget sets the blueprint for what the Court wants to do and how it intends to operate. The adopted budget sets the limits and the framework for its operations. The subsidiary body of the Assembly on budgetary issues, the Committee on Budget and Finance (CBF), had

met twice in 2004 to review past and current budgetary processes, and to consider the draft budget for 2005. At its last meeting, in August 2004, the Committee had recommended a number of reductions in the Court's Draft. The recommendations were considered by the Assembly and while a number of recommendations were approved, the Assembly chose to reject some reductions with regards to victims' representation, investigation and outreach – decisions that were very much welcomed by NGOs. The final product is a budget of around €67 million. Furthermore, the Assembly decided to establish a contingency fund of €10 million to meet unforeseen costs, including the possible establishment of two field offices. The decision to establish an ICC-ASP liaison office in New York was deferred for one year.

The Assembly approved the Draft Relationship Agreement between the United Nations and the ICC, which was subsequently adopted by the United Nations General Assembly on 13 September. A number of elections took place during the week in The Hague. First, Ms. Fatou Bensouda from The Gambia was elected as Second Deputy Prosecutor



At the start of the Third Session of the Assembly, delegates paused for a moment of silence in honor of the many victims of atrocities around the world. (l-r) ICC President Judge Philippe Kirsch, ASP President HRH Prince Zeid Ra'ad Zeid Al-Husseini, Director of the ASP Secretariat Dr. Medard Rwelamira, and Legal Officer of the ASP Secretariat Mr. Renan Villacis.

Credit: ICC-CPI/Wim Van Cappellen

Third Session of ASP continued on Page 11

UEF supports the European Constitution: Next round of reforms must start in 2008 at the latest

Since 1997, the UEF has led its "Campaign for European Federal Constitution," culminating in the UEF's involvement in the work of the European Convention convened to draft the first European Constitution. The following is a declaration by the UEF Bureau regarding its support of the European Federal Constitution. UEF is an associated member of the World Federalist Movement.



U.E.F.
Union of European Federalists
Union des Fédéralistes Européens
Union der Europäischen Föderalisten

The Union of European Federalists,

A. Assessment of the Constitution adopted by the Heads of States and Governments

1. Welcomes that the Heads of States and Governments of the 25 member states have come to an agreement on the European Constitution at their summit in June 2004;
2. Underlines that the adoption of this Constitution is an act of great political importance and a symbol towards the political unity of Europe;
3. Is of the opinion that the Constitution represents a considerable progress when compared to the Nice Treaty and that the European Convention made a very decisive contribution to the Constitutional process;
4. Regrets, however, that the final text of the Constitution adopted by the Heads of States and Governments falls a long way behind the Convention's draft Constitution;
5. Welcomes in particular the following achievements of the Constitution;
 - a. the incorporation of the Charter of Fundamental Rights thus making it legally binding,
 - b. the clarification of the values, principles and objectives that form the common ground for the Europeans,
 - c. the simplification of the legal and political foundations of the EU construction as well as the clarification of the competences of the EU,
 - d. the strengthening of the democratic legitimacy of the EU by giving the European Parliament the right to elect the Commission President and the co-decision-power in most of EU legislation,
 - e. the creation of the post of a European Foreign Minister and a European diplomatic service,
 - f. new mechanisms for common activities in the field of security and defence,
 - g. considerable progress on justice and home affairs.
6. Nevertheless criticizes that the Constitution falls short of what is needed in many respects, mainly
 - a. by not abolishing the unanimity rule in many important fields where more effective decision making and thus majority voting would have been necessary, in particular in foreign, security and defence policy and for the multi-annual financial framework,
 - b. and by not introducing a procedure that makes the entering into force of the Constitution possible when all but one or two member states have ratified the text.

B. Ratification of the constitutional Treaty

7. Insists on the need to make known this important move forward to the European citizens and to the parliaments of the member states, with a view to the national ratifications and especially the referenda to be held in several member states;
8. invites the European Parliament to give its assent on the Constitution before any national ratification;
9. invites the European Parliament and the national parliaments to convene a "Congress of the parliaments of the EU" to help to ensure that the Constitution enters into force;
10. asks the member states to coordinate the dates of the national ratifications by the parliaments and the peoples of the member states in order to stimulate a genuine trans-national debate;

C. Federalists involvement in the ratification process

11. commits itself to actively take part in the campaign for the ratification of the Constitution;
12. calls upon the activists of the UEF constituent organisations to form a broad coalition together with elected representatives on local, regional and national levels and civil society organisations, including political parties, to promote the achievements of the Constitution;

D. Revision of the Constitution and transformation of the EU into a European Federation

13. calls upon the Heads of State and Government of the member states to
 - a. create a framework for a democratic and transparent public debate on the Constitution;
 - b. commit to convening another Convention no later than 2008 to revise the Constitution and adopt further reforms to strengthen the democratic legitimacy the Union and the effectiveness of its instruments;
 - c. agree that future amendments to the Constitution should be adopted by qualified majority voting rather than by unanimity;
14. repeats its demand that if only one or two member states are unable to ratify the text, the other member states should proceed nevertheless with the entering into force of the Constitution;
15. calls upon the European Parliament and the parliaments of the member states to pass political resolutions in favour of the revision of the Constitution by a new Convention no later than 2008.

NGO's Speak out on the Crisis in Darfur: When asked what the humanitarian crisis

John Washburn*

Convener, AMICC (American NGO Coalition for the ICC)

“The protection of civilians and opening the way for humanitarian assistance to reach them in Darfur requires soldiers: lots of them and very quickly. It is the duty of UN members to provide them or to provide equipment and services to them. The Security Council and the international community must do this NOW. Waiting for sanctions to work or for the government of Sudan to act means thousands more deaths.

Civil society must put the heat on governments to fulfill this duty. This means pressure on governments at the U.N. It also means intense lobbying by citizens and their organizations at home.”

* This represents the viewpoint of the author and is not representative of AMICC or its members.

Emmanuel LoWilla

Reconcile International
Kampala, Uganda

“The African tribes of Darfur have been killed, displaced, disenfranchised and maimed within a short time by the Arab tribes through the Janjawed. They deserve protection so that they live.

The International community at the moment has the political will to do something to protect the civilians in Darfur. To

ensure immediate and effective response they should put pressure on the Government of the Sudan to allow humanitarian access to all and provide security to protect the innocent through the African Union monitors. With the security provided the people would not be afraid to return to their villages or even the camps to receive the help that will be provided. The rebels too should be pressurized to negotiate in good faith so that a political situation is reached.

At the same time that pressure is brought on the government of the Sudan and the rebels to negotiate a settlement, the civil society organizations should work to build the capacity of the community leaders, sheiks and Imams for reconciliation among the various tribes in Darfur that are fighting each other.

The psychosocial issues need to be addressed now as the humanitarian access is provided.”

Ruth de Bruyn

Executive Director,
Tshwaranang Legal Advocacy
Centre Braamfontein, South
Africa

“At Tshwaranang Legal Advocacy Centre we view with great concern the events in Darfur and the slow response from the international community to prevent further



Sudanese refugees

Credit: United Nations

suffering of vulnerable people - who form part of our common humanity -through death and dislocation. Located at the southern tip of Africa we have particular concern for the danger to women and children in the Darfur region, who always seem to pay far too high a price wherever armed conflicts occur in the world and no less so in Africa. We view the presence of 80 African Union military observers protected by 300 soldiers as woefully inadequate to have an impact on the injustices perpetrated in Darfur. This mission should be augmented as a matter of urgency. Civil society structures in Africa can lobby the African Union through ECOSOC and its substructures.

We note that the Pan African Parliament whose members have taken an oath to defend the people of Africa has committed itself to sending a fact finding mission to Darfur. We urge the international community to make good on its promises at the recent Security Council meeting of the UN and provide the required assistance to allow this mission to take place as speedily as possible. We further urge that female Pan African Parliamentarians should comprise 50% of the mission group and that women representatives from civil society organizations in Africa that are involved in peace-making, conflict prevention and peace

building after conflict, should be added to the mission. African civil society research groups and collectives such as the African Civil Society Forum should also be included in the mission.

We applaud the advocacy being done by the WFM in alerting civil society to the situation in Darfur and think that the international and African media can play a practical role by publishing a weekly for the world to see what the countries that committed themselves to providing assistance with regard to Darfur at the recent UN Security Council meeting in New York have in fact provided.”

John Prendergast

Special Adviser to the President
International Crisis Group

“The key to protecting civilians is to get an international force into Darfur with a specific mandate to protect civilians. That will require the consent of the Khartoum government, which means the international community, particularly the Security Council, must apply much more pressure on the government of Sudan to allow this to happen. The way to increase leverage is to begin imposing punitive measures on the Khartoum regime, lifted only when they comply. Impunity cannot be tolerated.”



A World Food Programme aircraft roars over the cloudy Sudanese sky, dropping relief supplies of sacks of grain, 16 tons at a time.
Credit: United Nations

The international community, particularly civil society can do to address crisis in Darfur, representatives of NGO's gave the following responses.

Görel Bogarde

UN Representative, Save the Children

“We would stress that children are particularly vulnerable to the effects of insecurity and for them the situation remains dire.

Overall, the crude mortality rate for the displaced in Darfur is three times the expected rate in Africa as a whole. Children across Darfur also continue to suffer through attacks by militia on a weekly basis, including high incidence of sexual and gender based violence.

The first step that the

Furthermore, the Security Council should specifically address the issue of child protection in future deliberations on Sudan and, pursuant to paragraph 14 of resolution 1539, request the Secretary-General to ensure that subsequent reports on Sudan include the protection of children as a specific aspect.

Child protection advisers should be deployed in UN mandated and African Union protection and monitoring forces, to undertake monitoring and reporting of violations against children, including gender based violence, and ensure that specific child



Elfatih Mohamed Ahmed Erwa, Permanent Representative of the Republic of the Sudan to the United Nations, at a recent Security Council meeting. Credit: United Nations



Sudanese refugees collect water in Chad.

Credit: Human Rights Watch

international community could take to ensure the protection of civilians, particularly children and other vulnerable populations, is to hold the government of Sudan and all parties to the conflict to the obligations they have made under international law, especially with respect to the protection of children. The government of Sudan is a party to the Convention on the Rights of the Child, under Article 38 of which they are obligated to “take all feasible measures to ensure child protection and care of children who are affected by armed conflict.” The Council must also ensure that Sudan is compliant with the provisions of Resolution 1556 and 1564.

protection requirements are fully addressed in all peacemaking, peacekeeping and peacebuilding operations.

A political solution must be found to the crisis that addresses issues of long-term marginalization of groups involved in the conflict, as well as its regional nature.

The international community should support and make a commitment to the immediate expansion of African Union's presence and mandate to include the protection of civilians from attack by all armed forces operating in the area, including those of rebel groups and the Government of Sudan with a corresponding increase in size that is consistent with providing

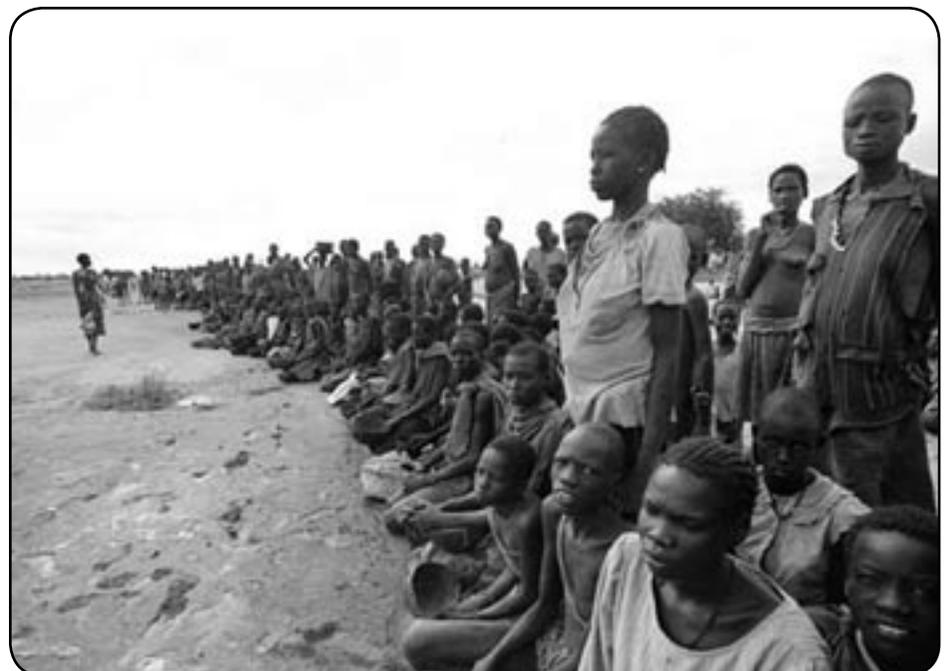
security and peace throughout Darfur.

There must be a unified platform and common strategy in the international and humanitarian community for safe and dignified return for Internally Displaced People according to the Guiding Principles as soon as security permits, as well as the restoration of law and order as a matter of urgency.

Funding commitments should be long-term and address both the immediate humanitarian crisis and post-conflict recovery and pressure should be placed on donors to meet the shortfall in the UN appeal, and to

encourage new donors, in addition to the EU, UK and US to launch a response.

Finally, all parties to the armed conflict must cease all use of children and facilitate their immediate release, and the Government of Sudan should undertake specific activities designed to reintegrate them into civilian life (with a particular emphasis on education, skills training and provision of long term economic livelihoods) and ensure that there is a process for monitoring those children's demobilization from armed groups in order to prevent re-recruitment.”



Villagers, young and old, gather around the air strip with their gourds ready to collect from the spilled sacks of grain. Credit: United Nations

Special Adviser

Continued from page 3

what the term means, let alone how to spot and prevent approaching genocides. The new UN office could therefore take the lead in promoting such an understanding and being a resource to the world. Critical to this will be an understanding of minority rights, as potential genocides are invariably indicated by massive violation of minority rights.

2. *Providing early warning of potential genocides.*

To prevent genocide, one must have the systems in place to look for and acknowledge the signs of approaching genocide (as well as the ability to understand them). The office will need access to on-the-ground information about, in particular, the situation of threatened minorities, to be able to assess if there is a serious risk of genocide. It will then need to be able to warn those with the power to prevent it.

3. *Providing solutions to prevent potential genocides.*

However, simply warning is not enough, as Rwanda showed. The office will also need to be able to learn from past situations to develop specific solutions to each situation, including what should be done within the country and communities concerned and by the outside world.

4. *Ensuring that such solutions are carried out.*

This of course is the most difficult, as solutions will depend on those with power inside the country concerned as well as the key member states of the UN. However, the office will need to adopt a campaigning strategy to ensure its recommendations are taken into account rather than remaining as mere reports to stay on the shelf, perhaps to be discovered by researchers into why future genocides occurred. "Quiet" behind the scenes campaigning may often be the most effective for a UN mechanism, but every method should be considered.

Role of civil society

Naturally an office with a

tiny budget and staff for what is supposedly the most important issue for the UN will need a lot of support. However, civil society can assist at each of the 4 steps. First in developing a greater understanding of genocide, its causes and how to prevent it. There is increasing academic knowledge on this, which could be translated into action. At the same time, whilst very few international NGOs could claim to be specialists in genocide, there is a grouping of like-minded organisations called the International Campaign to End Genocide, (of which MRG is part), which could play a major role in providing information and assessments to the Special Adviser.

At the level of providing knowledge of and assessment of specific situations, much knowledge can be gathered increasingly quickly. In this, it is clear that cooperation between those in a position to get information on the ground (*i.e.* local NGOs, and sometimes international NGOs, UN and member states' missions, whether development, peace-keeping, human rights or others) will ensure that

the right information is collected and not duplicated. Assessment of what should be done and by whom requires more work, which is why the basic understanding is needed and a network of specialists can be developed to assess each potential genocidal situation.

Finally in campaigning for action to prevent genocide, the role of NGOs and the Special Adviser should be complementary. NGOs may well feel freer to conduct more public campaigning, particularly using the media, but both the Special Adviser and NGOs should have enough trust to understand what the other is doing.

In conclusion, the new Special Adviser is an extremely welcome development – in theory. In practice, one person with a handful of staff cannot hope to prevent the destruction of entire communities without the organised support of global civil society. The challenge for those NGOs who have to deal with genocide is to ensure that such support can be provided in the most effective way possible.

Clive Baldwin is Head of International Advocacy, Minority Rights Group International.

R2P In Action

Continued from page 4

catastrophe, the scale of the crisis grew so significantly that hundreds of thousands of lives are now at risk.

The Security Council, which bears primary responsibility for maintenance of peace and security, is now seized of the Darfur crisis. However, the Security Council's record on addressing threats of genocide is weak; Rwanda and Kosovo are two notable examples.

The Council passed two resolutions on Darfur, but the most recent resolution, passed September 18, only warns that the Council will "consider" sanctions and does not demand an international presence large enough to ensure protection of civilians. Stronger language was removed due to the intransigence of at least one veto-wielding member. Even with weaker language in place, four Council members abstained on the resolution.

The Council's actions have proved insufficient; UN Special Representative on Darfur Jan Pronk concluded that, as of the beginning of October, there was no systematic improvement of security in Darfur, nor was there progress on ending

impunity. Clearly, lessons from past tragedies have not been learned.

R2P-CS is monitoring several initiatives that are aimed at addressing the failures of members of the international community broadly – and the Security Council in particular – to uphold their responsibility to protect.

One development is the appointment of a Special Adviser on the Prevention of Genocide by the UN Secretary-General (see Special Adviser article, page 3).

Juan Méndez, an Argentinean human rights lawyer, was appointed to the position with a mandate of: collecting information on acts that might lead to genocide; providing early warning to the Secretary General and through him to the Security Council; making recommendations to the Security Council (through the Secretary-General) on actions to prevent or halt genocide; and working to improve the UN's information management and analysis relating to genocide.

Mr. Méndez describes his role as "basically to track conflict situations around the world" that could evolve into situations of genocide. According to Mr. Méndez, his mandate is not to make the determination of

whether a situation is genocide, "but precisely to give advanced warning before they get to that point." Beyond his early warning role, the Special Adviser is a potential source of pressure on the Security Council to remain focused on conflicts that pose a risk of genocide.

Another initiative is the High Level Panel on Threats, Challenges and Change. This 16 member panel, convened by the Secretary-General, is examining a range of challenges:

socio-economic threats like disease and poverty; inter-state conflict; intra-state conflict and state-led violence against civilians; terrorism; organized international crime and weapons of mass destruction.

The panel's findings are due in December 2004, and are expected to include recommendations on changes necessary to ensure collective action to address these threats. It has



been reported that the High Level Panel has reached an agreement to support the R2P principles.

Initiatives such as these are central to the development of a R2P-CS network working toward acceptance by the international community of its responsibility to protect.

Nicole Deller is WFM Program Advisor for the Preventing Conflicts -- Protecting Civilians Program.

Cardoso Panel

Continued from page 3

enhanced involvement of business sector representatives without outlining a framework for rules of engagement. If the UN wishes to extend its partnerships with for-profit stakeholders, specific rules of engagement should be established to ensure transparency, accountability and eligibility of the business entities. WFM is addressing these issues and has raised its concerns to the Secretary-General who is in charge of the follow-up of the Report. If business entities are to be seen as "constituencies" to the UN, we need to make sure that they at least operate within the values and principles of the UN.

In an attempt to maximize synergy and coherence among the identified constituencies, the Panel calls for the creation of an overarching Office of Constituency Engagement and Partnerships, headed by a new Under-Secretary-General. It would provide strategic guidance to UN staff on constituency matters as well as foster networking among constituencies, which each would be represented by an independent unit within the Office. Additionally, a

Partnership Development Unit is proposed to provide management and operational support to UN staff for the development of multi-stakeholder partnerships. This will evidently lead to a greater focus on partnerships within the UN system; however, WFM emphasizes that the focus should go beyond the mere establishment of partnerships and also include an assessment of the structure and effectiveness of such partnerships.

Noticeably, the Panel has been very innovative with regards to the participation of national parliamentarians. The Panel suggests the creation of a new Elected Representative Liaison Unit to ensure greater involvement of parliamentarians in UN processes. In addition, the Panel proposes to bring a global dimension into the mechanism of national functional parliamentary committees by establishing Global Public Policy Committees within the UN. These Committees should be regionally representative and comprised of parliamentarians from 30 national parliaments. Even though WFM is somewhat hesitant regarding the selection of parliamentarians for these committees, we are generally

very supportive of this initiative.

The Report also acknowledges what the NGO community has been discussing for years: the problem of the politicized accreditation process in the NGO Committee of ECOSOC. As a solution the Panel suggests moving the procedure out of the hands of the ECOSOC and the DPI section and entirely into the hands of the General Assembly. The Secretariat should create a UN Accreditation Unit to screen and research the incoming accreditation applications and submit application reviews to the General Assembly for approval. However, one has to question whether or not this model of accreditation would ensure a depoliticized and time/cost efficient procedure, moving it from the hands of the 19 Member-States on the NGO Committee to the 191 Member-States in the General Assembly.

The Panel reintroduces the issue of non-state actors' participation in the processes of the General Assembly. WFM highly supports this and has brought to Secretary-General Kofi Annan's attention the General Assembly NGO Resolution which WFM and INTGLIM drafted in 2000. It is a moderate call for limited

consultative arrangements for NGOs to the General Assembly such as the right to attend open meetings and receive documentation handed out to Member-States. It does not call for NGO speaking rights or rights to circulate written statements, but merely advocates the right to observe. The Panel's proposal however is of a smaller scale. It talks about 'carefully planned' participation of chosen NGOs, but in doing so it recognizes the relevance of civil society engagement in General Assembly processes.

The Panel suggests new specific structures as a way of enhancing civil society participation. It encourages the Secretary-General on his own authority to convene multi-constituency public hearings as a means of reviewing progress on globally agreed commitments. Likewise, the Panel suggests that the Secretary-General initiates multi-stakeholder advisory forums on emerging issues. However, WFM questions whether or not these multi-stakeholder advisory forums are meant as a supplement or a replacement of the preparatory processes of UN conferences. Member States have intermittently expressed dissatisfaction and little appetite for global conferences and even though the Panel expresses support for the conference model, the Report does indicate that the expanded use of expert panels might substitute the global conferences of the last decades. This would be a major setback for civil society, depriving it of the unique opportunity to engage and contribute to UN decision-making processes. If the global conference mechanism is abandoned the participatory space of civil society will be reduced perceptibly.

The Cardoso Report is the first step, hopefully out of many, towards improving civil society engagement in the UN. The next step will be the General Assembly's deliberations during its 59th session. on the follow-up report by the UN Secretary-General. How the process evolves from thereon is uncertain, but WFM is seriously advocating for an establishment of a follow-up framework with modalities for input and participation of civil society. In the spirit of the Cardoso Report, NGOs must be part of the realization of these proposals if they are to be effective and successful.

Lene Schumacher is WFM Program Associate.

Democratic Global Governance highlighted at UBUNTU'S 2004 Universal Forum of Cultures

By WFM Staff

WFM Executive Director, William R. Pace, was a speaker at the Universal Forum of Cultures –Barcelona 2004. Pace was invited to speak at the conference on Reform of the United Nations and other International Organizations. It was organized by UBUNTU, a global civil society network as part of the World Campaign for In-Depth Reform of the System of International Institutions. WFM has been a key member of the UBUNTU process for the last two years.

Pace spoke in the forum track on universalizing world justice. Richard Falk, author and professor of International Law at Princeton University; Guido di Marco, former UN General Assembly President; Kumi Kaidoo of CIVICUS; Jim Garrison of the

State of the World Forum; Brigitta Dhal, Swedish parliamentarian and member of the Cardoso



Mireia Belill, Forum Dialogues Director, presents the Dialogues closing events that took place on September 26, 2004.

Credit: Forum 2004/J. A. Roca de Viñals

Panel; Jonathan O'Donohue from Amnesty International and many other distinguished speakers joined in extraordinary series of panels dealing with major international organization reforms from the

Security Council to the World Trade Organization.

In addition to the five-months long 'Dialog' the Barcelona Forum included a global fair of exhibits on habitat, environment, war, and literally thousands of art and cultural events. "World Federalists

would have been amazed to find hundreds of dialogues on peace and democratic global governance," Pace said. "The city government of Barcelona has given the world an extraordinary present." Pace added that interest in and respect for issues WFM has been raising for six decades have never been greater.

Visit <http://www.reformcampaign.net> site for more information.

Book review: *Debating the Tobin Tax*, Edited by James Weaver, Randall Dodd, and Jamie Baker

By Lene Schumacher

The identification of new sources of finance is seen as a determining factor for the implementation of the UN Millennium Development Goals by 2015. As a result, the debate about taxation of currency transactions has become even more vigorous. With the global currency trade amounting to approximately US\$1.3 trillion per day, a modest currency transaction tax at 0.1% could generate annual revenue in the billions, even considering the reduction in trade volume it could bring. Accordingly, the feasibility of such a tax is the source of great debate.

The book *Debating the Tobin Tax* explores the arguments for and against the currency transaction tax: the Tobin tax. The tax proposal is named after its inventor in 1972, the late Noble Laureate economist James Tobin, whose intention was to reduce disruptive speculation in foreign exchange markets by imposing a small tax on dealings in foreign currency. Unattended for decades the Tobin tax saw resurgence in the 1990s when it was recognized as a mechanism to achieve greater stability in financial

markets.

Debating the Tobin Tax is a collection of papers presented at a conference in January 2003 hosted by New Rules for Global Finance Coalition, complemented with two primers designed as introductions to the Tobin tax and related issues. With its informative compilation of supporting and opposing papers, the book gives good justice to the debate. The papers are interlinked in such a way that they seem to respond to each other. To its advantage, the book does not take a stand on the question of the desirability, effect or feasibility of the Tobin tax. Instead, it provides the reader with an overview of the complexities involved.

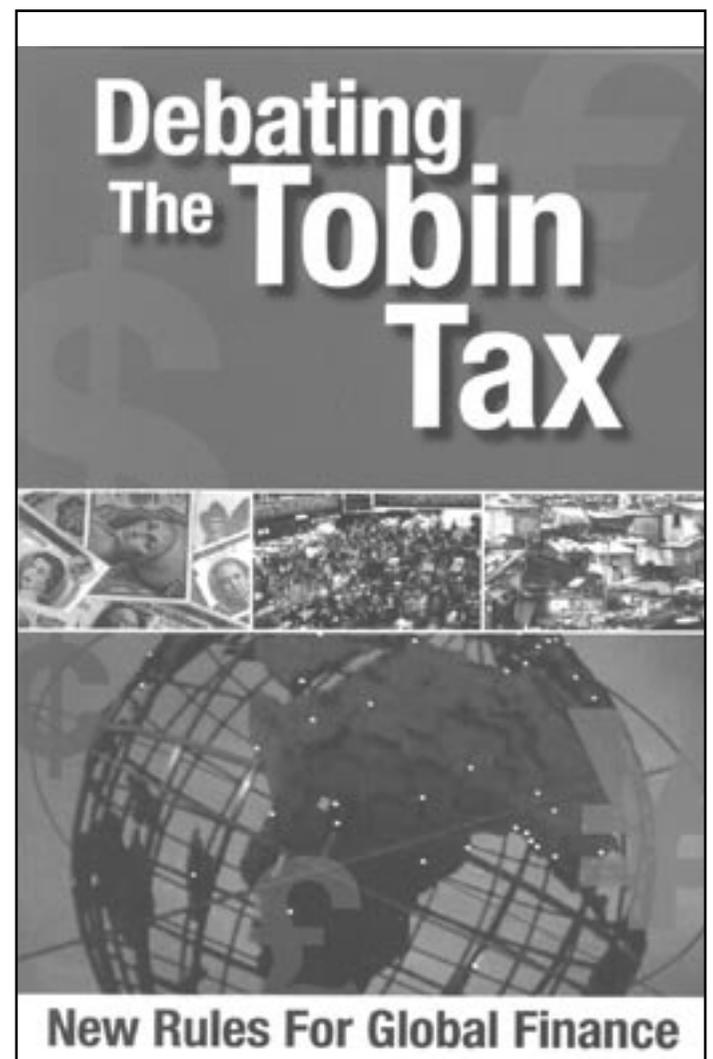
As Jo Marie Griesgraber, Chair of New Rules for Global Finance, states in her summarizing concluding chapter of the book, the debate is dominated by ongoing disagreement about the desirability, effects and feasibility of the Tobin tax. The proponents argue that the Tobin tax will reduce currency volatility and thus damaging speculation while efficiently raising significant tax revenue. They also argue that

it will enhance the power of domestic monetary policy and reassert national economic sovereignty. In agreement with the need for regulation of financial markets, the opponents, however, argue that the Tobin tax would not accomplish its purported goal of stabilizing financial markets. Instead, they envision that it would result in lower financial market stability and higher volatility in prices and capital flows. They also question its technical and administrative achievability.

In addressing the technical economic aspect of feasibility, the book leaves out the other and possibly the most crucial aspect: the tax's political viability. Lately,

an increasing interest in the issue has arisen among politicians; however, ensuring the necessary global political will for realization of the Tobin tax is the great challenge ahead.

Lene Schumacher is WFM Program Associate.



A Major New Definitive Work: *The Politics of World Federation* by Joseph Preston Baratta

Reviewed by Barbara Walker

The Politics of World Federation the recently published, (December 2003), two volume set – Vol. 1 *United Nations, U.N. Reform, Atomic Control* and Vol. 2 *From World Federalism to Global Governance* – is a must for all federalists, citizens for global solutions, internationalists and anyone else searching for sensible and reasonable solutions to current world dilemmas. These books detail a history of the “practical, political efforts to establish a constitutionally limited, democratically representative, federal world government in order to effectively abolish war”. They trace the influence of a generation of internationalists on world policy, citing particularly Winston Churchill’s proposal of Anglo-French union of June 16, 1940, deliberations in the U.S. State Department on the

shape of a postwar international security organization until October 1943, and the Baruch plan for the international control of atomic energy.

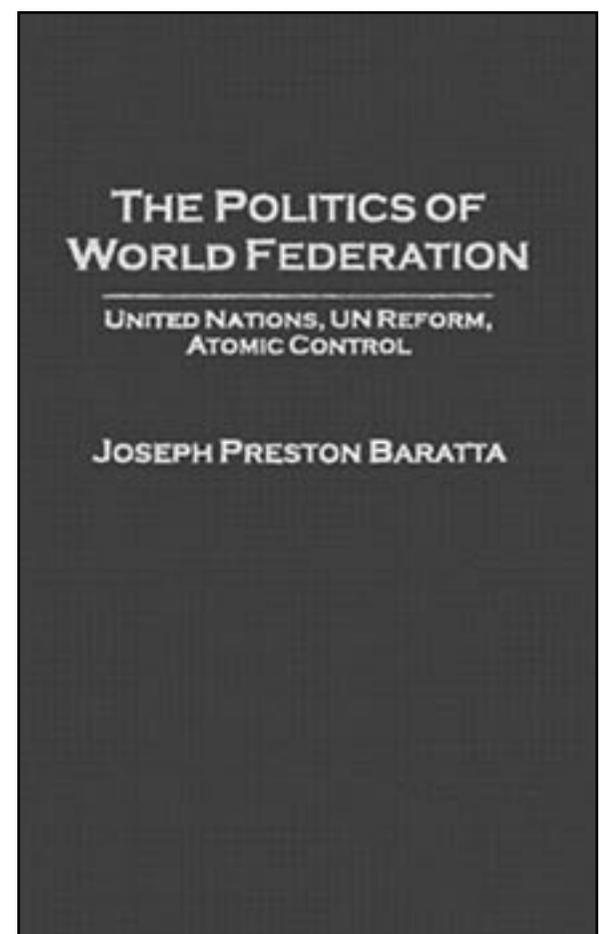
Volume 1, *The United Nations, U.N. Reform, Atomic Control* takes the reader through precursors of the idea of world federal government, from Dante to Wilson. Then it covers the development of the United Nations and federalists’ response, as well as Hiroshima, Baruch, the formation of United World Federalists and the Truman Doctrine. Volume 2, *From World Federalism to Global Governance* highlights Albert Einstein, Robert Hutchins, Cord Meyer, World Federalism in the US, the Korean War and World Federalists in the Cold War. In a conclusion to both volumes asserting that the idea of the rule of law has not died, Baratta points out that

“a great novel work of statecraft is before us.” For those embarking on this “novel work,” Baratta is clear that the goal of world federal government is “the necessary instrument to establish peace and justice.”

Joseph Baratta, who served four years as Executive Director of the World Federalist Movement, currently teaches history and international relations at Worcester State College in Massachusetts, USA. He has written many publications on the United Nations, Peace Keeping and U.N. Reform. His bibliography on “Strengthening the United Nations” has been a valuable and important

resource for world federalists.

Barbara Walker is WFM Assistant Treasurer, Executive Committee member and Honorary Board Member.



Book Review: *Revitalizing the United Nations: Reform through Weighted Voting* by Joseph E. Schwartzberg

Reviewed by Dr. Hanna Newcombe

In Joe Schwartzberg's excellent proposals for UN reform, each nation would be assigned a weighted vote (WV) equal to the average of its share of the total UN population (almost the whole world), plus its share of the contribution to the total UN budget (almost proportional to each nation's GNP), plus its share of the total UN membership (1/191; the only significant exceptions are Taiwan, Palestine, Puerto Rico and Western Sahara). Thus, each nation's WV would be based on its population, its wealth, and its existence as a sovereign nation.

Schwartzberg's weighted voting formula would be applicable to a reformed UN Security Council and General Assembly, but one is not a precondition for the other. In this article, I will focus on the Security Council (SC).

Schwartzberg proposes that nations whose WV would equal or exceed 4.0 would automatically have a seat (but without a veto) on a reformed SC.

Nations that would qualify under this rule would be the U.S (9.1), China (7.7), Japan (7.3) and India (6.0). Nations that don't make it would be free to form blocs or coalitions whose combined weighted votes would add up to 4.0 or more. Blocs would be based on negotiations, political affiliations, existing regional associations, common culture or some combination thereof. One or more seats would be reserved for election by the General Assembly from among nations that do not join a bloc or individually qualify for a seat at the table.

Schwartzberg proposes two illustrative schemes. The first has the following twelve hypothetical blocs (for each of which I provide the total number of members (M), including micro-states and total weighted vote and list, in rank order, the two leading member nations and any others with WV's over 0.50): Arab League, 20 M, 5.59 (Egypt .56, Saudi Arabia .48); Central, Eastern and Southern Africa, 23 M, 6.13 (South Africa .55, Ethiopia .54); Eastern Europe, 17 M, 4.22 (Poland .51, Ukraine .45); Meso-America, 23 M, 5.43 (Mexico 1.08, Dominican Republic .30);

Non-Arab Islamic State [of Central and Southwest Asia], 11 M, 4.21 (Pakistan .99, Turkey .70, Iran .62); Northern Europe, 7 M, 4.60 (United Kingdom 2.33, Sweden .56); South America 10 M, 5.02 (Brazil 1.91, Argentina .69); Southeast Asia, 11 M, 5.29 (Indonesia 1.38, Philippines .64, Vietnam .61, Thailand .61); Southern Europe, 8 M, 4.88 (Italy 2.16, Spain 1.23); Western Africa, 21 M, 5.18 (Nigeria .90, Ghana .29); and Western Europe 5 M, 4.89 (France 2.62, Netherlands .84, Switzerland .63 and Belgium .60.)

29 states are not part of any bloc in this scenario. Major omissions are Russia, Canada, Australia and Bangladesh. Schwartzberg's second hypothetical formulation envisions a 15-year transitional phase during which Russia, France and the UK, which would not qualify as members in their own right, would retain their membership on the Council. During that period the Russian economy might grow sufficiently to push it over the WV 4.0 threshold, alone or perhaps through some reconstituted Commonwealth of independent States.

Amendments (mine mainly); Russia would somehow have to be guaranteed a seat. It is the world's second biggest nuclear-weapons state (I hate to say that, but politics intrude) a big (and the earliest) space power, and (more rationally) the world's largest nation.

Additionally, we absolutely must not leave out Canada, many times already serving on the Security Council and active in UN peacekeeping. Canada could either join the Scandinavian bloc (Northern Europe, renamed Nordica). Or we might form "The Old Commonwealth" (UK, Canada, Australia, and New Zealand), which would get rid of two more "orphans," Australia and New Zealand. These countries are of course not contiguous, in fact are geographically very distant from one another. However, they are connected by several strands, history, language, similar UN voting (in General Assembly), UN peacekeeping, common membership in several treaties, presence of native peoples and general culture.

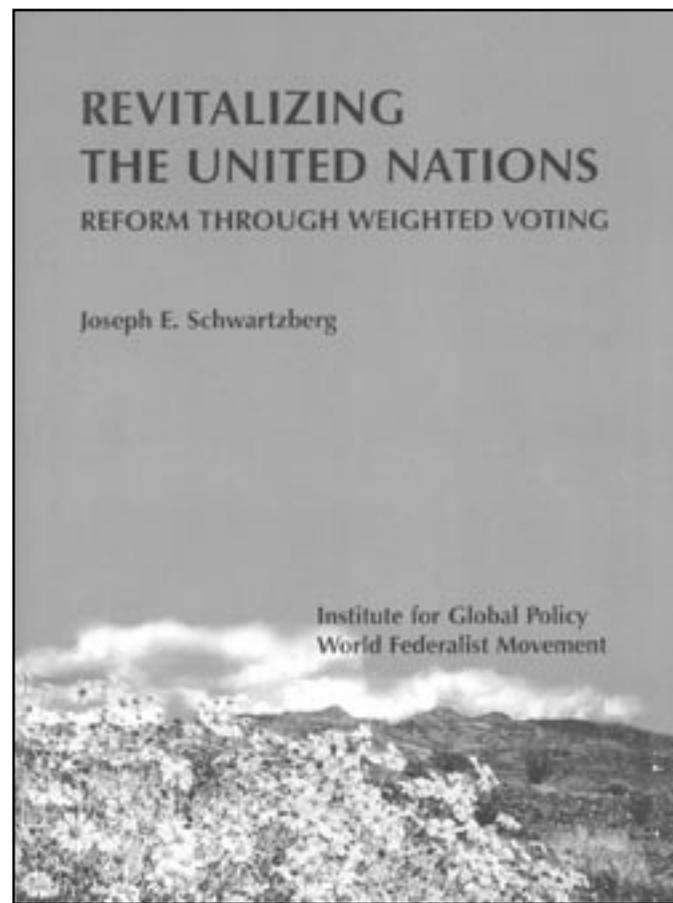
We should definitely not consider

joining Canada to the US- its neighbor- who after all does not need this addition. Also, as former Canadian Prime Minister Pierre Trudeau once said, "who wants to get in bed with an elephant?"

The Schwartzberg scheme has some similarity to the proposal by Italian World Federalist Lucio Levi for a UN Security Council composed of regional associations, such as the

European Union, African Union, Organization of American States, Association of South-East Asian Nations and CIS (Russia plus its 'near abroad,' or the former Soviet Union). But the Levi scheme would leave even more unaffiliated "orphans," and also contain some overlaps (e.g. North African states belonging to both African Union and Arab League).

There is also some similarity with Richard Hudson's *Binding Triad*, in the three factors chosen and in making GA votes binding. However, Hudson's scheme requires simultaneous 2/3 majorities on population, GNP, and UN



membership, a requirement that would be difficult for any resolution to achieve. The Schwartzberg scheme is more permissive.

A fuller consideration of a number of weighted voting schemes (and related political variables) is provided in my book, *Design for a Better World*, (University Press of America, 1983). My own scheme, based on population and GNP (only two factors), is not as good as Schwartzberg's; a humble statement for an author to make.

Dr. Hannah Newcombe works with the Peace Research Institute-Dundas. For more information on Schwartzberg's monograph, please contact WFM-IGP.

Third Session of ASP

Continued from page 4

by an overwhelming majority. Second, Ambassador Bruno Stagno (Costa Rica) was elected future ASP President, starting his term of office on the first day of the 4th Assembly. Third, six members of the CBF were re-elected to sit another term on the Committee.

With regards to the Victims Trust Fund (VTF) of the ICC, three issues were at stake; first, the adoption of the Regulations of the VTF was on the agenda. Unfortunately, the States Parties did not feel ready to adopt the Regulations in their entirety, not even provisionally. The first two parts of the Regulations were adopted provisionally (those regulating the management and oversight of the Board and receipt of funds). It was decided that Part III (regulating the activities and

programs of the Fund) would serve as a reference point for further work. The Bureau was asked to consider in more detail the draft regulations for adoption at the 4th session. Second, the establishment of and the budget for a Victims Trust Fund Secretariat were discussed. A core Secretariat was established under the authority of the Board but within the registry for administrative purposes. A budget of €470,000 was adopted for its work. Third, voluntary contributions to the VTF were subject of debate. Four States Parties pledged contributions to the Fund at the meeting: France €150,000, Finland €100,000, the Netherlands €100,000 and the UK £25,000.

Cecilia Nilsson is Associate Legal Advisor for the CICC in The Hague.



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