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Accountability and justice for the Rohingya

by Kate MacSweeney

On 11 November 2019, The Gambia formally submitted its case at the International Court of Justice against the government of Myanmar for failing in its obligation to prevent and punish the perpetration of the crime of genocide against the Rohingya people.

The Rohingya, a Muslim ethnic minority group from Rakhine State in Myanmar, have been the target of indiscriminate killings, rape and sexual violence, arbitrary detention, torture, beatings, and forced displacement by Myanmar security forces since late 2016.


The ICJ case is one among a number of judicial forums hearing cases involving the long-suffering Rohingya. Two others include a case at the International Criminal Court that has reached the investigation stage, as well as a case in an Argentinian court under that country’s universal jurisdiction legislation.

(1) International Court of Justice

As relied upon in the Gambia’s application to the ICJ, the facts of the crimes have been extensively documented by independent investigations conducted under the auspices of the United Nations and corroborated by international human rights organizations and other credible sources. These have included reports and statements by the UN Special Rapporteur on the situation of human rights in Myanmar, the UN Special Advisor on the Prevention of Genocide, the UN Human Rights Council’s Independent International Fact-Finding Mission on Myanmar, the UN Special Rapporteur on Freedom of Religion or Belief, the UN Deputy High Commissioner for Human Rights, the UN Committee on the Elimination of Discrimination Against Women, UNOSAT, as well as Amnesty International, Human Rights Watch and many other civil society organizations. The accumulation of these sources of information and evidence helps make international judicial remedies more feasible.

Filing the case on behalf of the 57-members of the Organization of Islamic Cooperation (OIC), The Gambia is asking the Court to order measures against Myanmar to cease all ongoing internationally accepted wrongful acts, ensure that persons responsible for the abuses are tried and punished, provide reparations to the victims, guarantee safe and voluntary repatriation, and to provide assurance and guarantees of non-repetition. The ICJ held public hearings on the matter from 10 to 12 December 2019, at the Peace Palace in The Hague.

(2) Argentina’s universal jurisdiction

On 14 November 2019, some Latin American human rights groups instituted proceedings in Argentinian tribunals under the principle of universal jurisdiction. This marks the first time since the beginning of the genocide that a case has been made directly against Nobel Laureate Aung Suu Kyi, as well as several other top Myanmar officials. However, the current prospect of Suu Kyi either visiting or being extradited to Argentina is unlikely, and so the potential of any such trial occurring remains unclear.
Several days after Gambia filed the ICJ suit, the International Criminal Court authorized the opening of an investigation into the situation in Bangladesh and Myanmar following an earlier request from the Office of the Prosecutor. In reaching this decision, the Court heard from many of the alleged victims as well as others speaking on their behalf.

Myanmar is not a party to the Rome Statute of the International Criminal Court. However, the Court ruled last year that it did have jurisdiction regarding the crime against humanity of deportation with reference to the Rohingya fleeing to Bangladesh, which is a State Party of the ICC.

While the political and legal challenges faced by those attempting to provide justice for the Rohingya has at times seemed insurmountable, momentum has been growing over the last few months to end impunity for the atrocities committed against this group.

At an NGO side event December 5 2019 at the Assembly of States Parties to the International Criminal Court, a number of speakers pointed to the ethnic violence that is also prevalent in other parts of Myanmar. The Rohingya are only the worst victims in a state where discrimination and internal repression are quite ingrained. Tun Khin, a Rohingya activist who has worked to get the Argentina case to court said “We don’t want revenge on the government. We just want our communities to live in peace. Now we can see the wheels of justice finally starting to turn. It feels like peace might be getting closer.”

August 12, 2019 marked the 70th anniversary of the signing of the Geneva Conventions.


Today, many WFM program priorities are dedicated to building on and strengthening IHL, with the intention that the rule of law progressively develops to supersede an international system that is based on war.

The 1949 Geneva Conventions were drawn up in light of the violations of earlier humanitarian law during the Second World War. The first Geneva Convention was developed in 1864, the time of the birth of the International Committee of the Red Cross (ICRC). The aims of the ICRC, as a neutral party in armed conflicts, were the development and universalization of humanitarian law. The ICRC also played a role as an intermediary between victims and States.

The Geneva Conventions have evolved as the nature of armed conflict has evolved. The 1977 Protocols Additional were a response to the war in Vietnam, the greater number of conflicts that could be called "civil wars," and the greater use of armed militias that were not regular military forces. In the 1977 discussions, there was greater awareness of the conditions for humanitarian norms as they pertained to refugees and internally displaced persons.

Closely related to the Geneva Conventions is a second tradition of international humanitarian law, what may be called “the Hague Tradition” growing out of the Hague Peace Conferences of 1899 and 1907. This tradition places its emphasis on banning the use of certain types of weapons. The 1925 Geneva Convention prohibiting the use of poison gas was a direct result of poison gas use in World War I. Since then, there have been treaties banning the use of chemical weapons, land mines and cluster munitions.

There are two other sources or traditions in the development of international humanitarian law. One is respect for human rights provisions as set out in the Universal Declaration of Human Rights and the subsequent conventions focusing on specific aspects of the Universal Declaration.

While the provisions of the Universal Declaration are to be upheld at all times, there are highly visible and widespread violations during armed conflicts.
The fourth tradition is the development of the 1936 Roerich Peace Pact to protect cultural heritage during armed conflicts. Signed in Washington, D.C. in 1996 this was a Pan-American Union Treaty. Its provisions served as the basis of the 1935 Hague Convention on the Protection of Cultural Goods. The 1954 Treaty has been progressively enriched by the development of UNESCO’s Cultural Heritage sites. In 2017 the International Criminal Court began hearings in the trial of Ahmad al-Faqi al-Mahdi, accused of levelling medieval shrines in Mali that had been designated as UNESCO World Heritage sites.

These traditions of international humanitarian law have been highlighted in a number of UN General Assembly resolutions, for example, the Basic Principles of Protection for Civilian Populations in Time of Armed Conflict, Resolution 2625 (1971). Thus, the provisions of international humanitarian law are well developed and cover many issues that are likely to arise in armed conflicts. However, two major challenges remain. One is that the provisions of international humanitarian law are not well known, neither by the military nor by possible victims. Education concerning international humanitarian law is necessary. During the 1969 - 1971 Nigeria - Biafra War, I had been a member of an ICRC working group. This war was the first war among Africans without the involvement of a colonial power. There were many violations during the war, including the use of starvation as military policy. After the end of the war, the need for teaching international humanitarian law was obvious. I helped in the preparation of a text book using African examples that the Red Cross used fairly widely in Africa. The teaching of international humanitarian law in the context of local cultures and values is still a challenge almost fifty years later.

The second and more important challenge is that international humanitarian law is not respected, even when its provisions are known. The current conscious violation of international humanitarian law including some of the oldest provisions - not attacking medical facilities or not shooting prisoners - has been widespread in armed conflicts in the Middle East, Africa, Asia, and elsewhere. More than preparing handbooks for the military and the militias is needed.

A version of this article originally appeared on the Transcend: Art and Peace Network.

Save the Date!

World Federalist Movement

2020 Congress: June 3 to 7, Brussels

Additional program and registration information will be available later this year at www.wfm-igp.org.
The search for world citizens’ representation at a global level: the Model United Nations Parliamentary Assembly

by Emilia Ismael and Clara Subirachs

During the month of August 2019, an Argentinian NGO, Democracia Global, carried out a Model Parliamentary Assembly of the United Nations, the first in Latin America and one of the first globally. The Model, aimed at university students in Buenos Aires, sought to simulate the functioning of a Parliamentary Assembly at the United Nations, with its members representing the citizens of the world.

From this forum we seek to highlight two central ideas: that of the Parliamentary Assembly within the United Nations and that of global citizenship. First, there is a clear need to create a body composed of representatives democratically elected by the citizens of each State, to give global solutions to global problems such as environmental preservation, terrorism, and the unequal distribution of resources. In turn, as a result of becoming aware of this, the importance of the second concept, global citizenship, becomes obvious. Global citizenship seeks to lay the foundations for creating citizens who share a common understanding of a globally interconnected world with an urgency and need to solve the problems that concern us all.

The Model UNPA sought to give an idea of these premises, raising awareness about current issues at the global level and their interactions with the local and regional environment, and highlighting the importance of international bodies to solve global problems. In pursuit of these ideas, two approaches were used, through which the key concepts of the activity were presented: the concept of global citizenship and the topic of debate: the care and preservation of the environment. The students were separated into groups of four and tasked with preparing a bill aimed at one of the four parliamentary committees.

On August 21, the first session of debate was held, simultaneously at the University of Belgrano and the bills of each group discussed. The four commissions were Economy and Finance, Ecosystem Preservation, Justice and Human Rights, and Education for Sustainable Development. Each commission was made up of a President, Vice President, and Coordinators. The role of the Presidents was occupied by national deputies and a United Nations consultant. Each working group was composed of a spokesperson, two advisors and a press representative. During the committee discussions, the presentation, discussion, and voting of each of the projects was carried out.

The most popular project of each commission, as determined by vote, went to the final debate: a session of the Parliamentary Assembly, in the

continue on page 6
The projects under discussion proposed the creation of a Global Fund for Energy Transition in production and transport (Economy and Finance Commission); the reduction of the use of glyphosate in the agricultural industry (Justice and Human Rights Commission); the construction of Sustainable Schools (Education Commission for Sustainable Development); and the preservation of native forests (Ecosystem Preservation Commission). The Assembly sanctioned this last bill with force of law.

The session was chaired by Federico Pinedo, provisional president of the Senate; Esteban Bullrich, national senator; Fernando Iglesias, national deputy and World Federalist Movement co-president; Cristian Gimenez Corte, parliamentary advisor and consultant to the United Nations; and Rosendo Alsina, Director of Bilateral Relations of the General Directorate of International Relations.

During these meetings, fruitful and interesting debates were held on urgent global issues. The students had the opportunity to live a unique experience in research, legislation, and debate. They were able to understand the importance of creating supranational structures to deal with current issues globally, and knew how to interpret and recognize the concept of Global Citizenship to overcome obstacles and reach a common point. The development of future Models at national, regional, and global levels is key to developing educational initiatives based on the premise of belonging to a global community with common issues and problems.
Update on the Campaign for a United Nations Parliamentary Assembly and the World Citizens’ Initiative

In early November, Andreas Bummel, Executive Director, Democracy Without Borders, held a meeting in New York for governments and civil society organizations to discuss the UNPA and the World Citizens’ Initiative (WCI). The Canadian mission hosted an ten governments were represented. UN75 was also discussed as the 75th anniversary of the United Nations gives momentum to efforts such as WCI and UNPA to democratize the UN specifically and global governance more generally.

The WCI campaign was officially launched the following day with around fifty non-governmental organizations in attendance and Japanese television coverage, along with a few opinion pieces written. So far, eighty 80 NGOs have endorsed the campaign.

The World Citizen’s Initiative is a global civic participation campaign that would allow citizen-launched initiatives to be addressed by UN bodies such as the General Assembly or the Security Council, with the initiative’s representatives directly making their case. Such an approach would strengthen the UN’s democratic legitimacy and give global citizens a way to feel more connected to the work of the United Nations.

There are already similar mechanisms elsewhere. For example, the European Citizens’ Initiative, which was the first transnational direct democracy tool. It provides a model for how the WCI might work.

The WCI proposal is complementary to other efforts to broaden participation and inclusion at the United Nations, such as the work to include major groups and civil society and the establishment of a United Nations Parliamentary Assembly.

Both civil society organizations and individuals may join the campaign.

ICRtoP Update: Prioritizing Prevention on the Ground and Internationally with the RtoP

by Marijke Kremin

The Annual Secretary-General’s report on the Responsibility to Protect, entitled “Lessons Learned for Prevention,” set the stage for the International Coalition for the Responsibility to Protect’s (ICRtoP) advocacy and programming work over the recent months. Taking note of Member States’ interventions during the UN General Assembly’s Debate on the Responsibility to Protect (RtoP, R2P), the International Coalition for the Responsibility to Protect (ICRtoP) closely monitored the debate, where UN Security Council veto restraint initiatives, combating hate speech, and addressing root causes of atrocities through implementing the 2030 Agenda were highlighted as key prevention activities.

On October 31, the ICRtoP hosted a side event to the UN Security Council Open Debate on Women, Peace and Security along with the Permanent Mission of Germany to the UN, Cordaid, Friedrich-Ebert-Stiftung New York, the Global Partnership for the Prevention of Armed Conflict (GPPAC) and WO=MEN Dutch Gender Platform. Entitled “Ensuring the Inclusion of Young Women in Conflict and Atrocity Prevention,” the panel event recognized the crucial role of young women as prevention actors in their local communities,
underscoring the need to improve young women's access to prevention spaces and engaging with them, rather than acting on their behalf. The panel was opened by ICRtoP’s Program Associate, Marijke Kremin, and included women civil society leaders and activists from Afghanistan, Jordan, and the Philippines, who discussed the experiences and struggles of young women in the prevention field in their home contexts, as well as representatives of Germany and the UN Department of Political and Peacebuilding Affairs (UN-DPPA).

Also, in the context of the annual UN Security Council Open Debate on Women, Peace, and Security, there was panel discussion on “The Relevance of Resolution 1325 to the Implementation of Peace in Colombia.” The discussion explored how UN Security Council Resolution 1325 and subsequent women, peace and security resolutions were used by women in Colombia to, for example, demand participation in peace negotiations and ensure a gender perspective in the subsequent peace agreement. It also considered other examples of women’s involvement in peace processes and in the implementation UNSCR 1325 through National Action Plans.

In December, the ICRtoP Secretariat staff returned to Beirut, Lebanon to facilitate an in-depth training on early warning and early action. Alongside its implementing partner and Steering Committee member, the Permanent Peace Movement (PPM), the training sought to discuss early warning signs of atrocities and early actions members of civil society can take to prevent their occurrence, and how mainstreaming the RtoP can strengthen the work participants are already undertaking. The Responsibility to Protect (R2P) is an international security norm. It specifically provides a framework intended to prevent genocide, crimes against humanity, war crimes and ethnic cleansing. R2P does not address other serious human security problems such as natural or environmental disasters, climate change or nuclear proliferation. The focus of R2P is deliberately narrow, but with a range of tools for dealing with these particular violations.
Some of the points discussed during the presentation were:

- Corruption and organized crime have gained importance and power as a consequence of globalization. Criminal organizations have gained transnational status while the national legal institutions have been unable to adapt to these changes.

- We need to use two major tools to solve these problems, such as international cooperation and regional integration, which should be complementary.

- The COPLA proposal seeks to create a regional organization against organized crime that functions as a complementary body to national justice and focuses on the regional problem of organized crime.

- In order to carry out the campaign, apart from the support of governments, which are the main actors that face corruption, the contribution of civil society in promoting this initiative within each state is necessary.

- Establishing the COPLA campaign is a state policy announced by the President of Argentina before the General Assembly of the United Nations in 2018 and 2019, and by the Vice-president of Argentina in 2017.

In September, Fernando Iglesias and Camila López Badra presented the campaign at the International Association of Prosecutors meeting held in Buenos Aires. As a result, the Latin American Federation of Public Prosecutors pledged to issue a statement in support of the creation of COPLA in the near future.

Also, a Brazilian Senator recently presented a resolution to create a Parliamentary Front in support of the COPLA Campaign. A presentation in the Brazilian Senate is expected soon. There is also ongoing work to promote the initiative in Ecuador and Chile.

In addition, an academic paper was recently published about COPLA. The article, COPLA: A Transnational Criminal Court for Latin America and the Caribbean, was written by Robert J. Currie and Jacob Leon, of the Schulich School of Law, Dalhousie University, Canada. It appears in the Nordic Journal of International Law 88 (2019), p587-613.

And finally, on December 3 2019, at the time of international meetings of the Assembly of States Parties to the International Criminal Court in The Hague, a successful COPLA side event was held at the Argentine Embassy which included diplomats from the Latin American region, as well as civil society representatives and legal experts from around the world.

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Join Our Global Movement

The World Federalist Movement - Institute for Global Policy has Member Organizations (MOs) around the world that are dedicated to spreading the ideas of World Federalism. Currently our MOs are working on diverse issues such as raising support for the International Criminal Court, strengthening the European Constitution, creating a United Nations Parliamentary Assembly, and reducing small arms trafficking.

In addition to the WFM Member Organizations and Associate Organizations, WFM-IGP’s programs CICC and ICRtoP also have thousands of members around the world. For more information on their members, please visit www.coalitionfortheicc.org and www.responsibilityttoprotect.org.

WFM-IGP also welcomes your individual membership in our global efforts to promote the principles of international democracy, federalism, global governance and human rights.
This September, I had the pleasure of being one of WFM’s five scholars chosen to attend this year’s Ventotene International Seminar, a conference on European Federalism and World Federalism run by the Istituto di Studi Federalisti Altiero Spinelli and the Young European Federalists (JEF). As most of the other 25 or so participants were from JEF, WFM’s participants provided a global perspective on federalism to the debates and discussions.

The conference is held every year on the Italian island of Ventotene. This was the site of Alterio Spinelli’s political exile during WWII. Marooned on the island with other democratic activists and intellectuals, Spinelli drafted his “Per un’Europa libera e unita. Progetto d’un manifesto,” which after his return to the mainland would become a foundational philosophical document in the creation of the European Union. His grave, the trodden paths of his daily walks around the island, and the warm Italian sea and sun served as a backdrop for our discussions on the nature of federalism and political strategies for a more cooperative world.

Each of the five days were divided into morning and evening sessions, about three hours each. The structure varied, but usually there would be two speakers, splitting the first two-thirds of session, followed by a question time with the audience as a whole or smaller, more concentrated discussions.

Speakers ranged from academics, to politicos, and even a few members of European Parliament (Sylvie Goulard and Mario Monti), who incidentally were almost always my favorites. Topics covered in lectures were very comprehensive, including the theories on federalism, the economy and finances of a federal Europe, peace and security, and more. WFM’s own Executive Director, Dr. Tawanda Hondora, came to the island to lead the group in a very enlightening discussion on the political and economic potentials between an African Union and European Union partnership.

I made many friends on the island, some of whom I hope to collaborate with in the near future. It was inspiring to be around other people who enjoy discussing the Eurozone as others do football and for whom potent potables and philosophy is considered a good night out. The experience was informative and invigorating for my own work and goals in the federalist movement, but the narratives brought by the WFM scholars and Dr. Hondora’s lecture brought to light an important point: that above all else, in federalism, pluralism matters.

Even in a multinational-European conference, with young participants from all different educational and professional backgrounds, discussions will always be limited echochambers without the voices of the wider cosmopolis. In pluralism we learn the needs of others, their lessons learned from failures and
successes, and the effects that our own limited paradigms and actions have on citizens around the world. Perhaps this is a very progressive, millennial-American notion for me to take away from the experience; but I think my fellow participants from Argentina, Australia, South Africa, and Nepal would back me up on this.

And in this way the Ventotene Seminar’s goals and outcomes most definitely align with those of the World Federalist Movement: connecting idealists around the globe for the creation of a cooperative society and the betterment of humankind. And pasta.

It was an honor to be chosen by WFM to attend the seminar. I learned loads about federalism, European politics, and I hope that I was able to contribute something on behalf of the World Federalists to advance the discussions on what it will take to create a federalist world, and what it should look like. Viva Europo, viva Federalismo!

Proposal: A Comprehensive Approach to a Northeast Asia Nuclear Weapon-Free Zone

by Tadashi Inuzuka

There have been various, detailed proposals since the end of the Cold War for a NEA-NWFZ (Northeast Asia Nuclear Weapon-Free Zone). At present, the Three-plus-Three Arrangement, including its various modifications, is considered to be a concise and pragmatic, structure. In this scheme, Japan, South Korea and North Korea would be the “Intrazonal States” and the US., Russia, and China - nuclear weapon states under the Nuclear Non-Proliferation Treaty with deep ties to the region - would be the “Neighbouring Nuclear Weapon States.” The Intrazonal States would from a geographic nuclear weapon free zone and would be required to assume non-nuclear obligations similar to other NWFZ treaties around the world. The Neighbouring Nuclear Weapon States would be required to provide security assurances not to attack the zone with nuclear weapons as parties of the treaty itself rather than of its protocol.

The 2011 Proposal made by Dr. Morton Halperin, Senior Advisor of the Open Society Foundations, was significant in the framework of the shift from sheme-centered arguments to approach-centered arguments. In order to overcome the difficulties towards North Korean denuclearization, he proposed taking the NEA-NWFZ as one of the six elements for a Comprehensive Agreement. The six elements are: 1) Termination of the State of War 2) Creation of the Permanent Council on Security 3) Mutual Declaration of No Hostile Intent 4) Provisions of Assistance for Nuclear and Other Energy 5) Termination of Sanctions 6) Nuclear Weapons Free Zone.

The Comprehensive Approach to the NEA-NWFZ has been supported by various parties in Japan, including: WFM-Japan, Peace Depot, Nagasaki University Research Center for Nuclear Weapons Abolition (RECNA), ICAN (International Campaign to Abolish Nuclear Weapons). The Korea National Diplomatic Academy is having a conference in December 2019, with an important part of the discussion centered around NEA-NWFZ.

Considering NEA-NWFZ may fundamentally change Japan’s foreign policy from Look-East (U.S.) to Look-Around (confidence building with all neighbouring nations), I would like to request WFM to consider NEA-NWFZ as a formal agenda item at the 2020 Brussels Congress. WFM-Japan will start its campaign immediately once we have successfully secured funding from institutions in Japan, and at the same time getting approval from our May 2020 WFM-Japan Congress.
The UN2020 Campaign is dedicated to using the 75th anniversary of the United Nations in 2020 as an opportunity to take stock and strengthen the UN system. Across a range of sectors, from human rights to peace, sustainable development, climate change, gender equality, migration and humanitarian issues, there is a widespread recognition that our institutions of global governance are not fit for purpose. And these problems are getting worse, not better.

In partnership with civil society, like-minded governments, and the UN Secretariat, the campaign supports a more effective, people-centered multilateralism.

As the 75th anniversary approaches, activity within the UN2020 campaign and elsewhere has gathered momentum.

In June the General Assembly adopted a “modalities resolution” that decided that the UN shall prepare a Leaders Summit on 21 September 2020 to commemorate its 75th anniversary under the theme “The future we want, the United Nations we need: reaffirming our collective commitment to multilateralism.” The President of the General Assembly will soon be appointing two co-facilitators to lead and conclude intergovernmental negotiations on a “concise, substantive, forward-looking and unifying declaration” perhaps as early as June 2020.

Member States decided that the UN75 theme shall guide all activities, meetings and conferences organized by the UN in 2020, emphasizing the need to engage civil society and youth in all activities to commemorate the anniversary.

On 24 October the Secretary-General launched the UN Secretariat’s ambitious UN75 program, calling for a series of UN75 “Global Dialogues” on the major challenges we face and the role of global cooperation in addressing them.

Although current political conditions do not bode well for a significant renewal of the UN system by the time of the September 2020 Summit, UN2020 campaigners are calling for the current UN75 activities to launch a much-needed longer term process, one that would lead to institutional modernization and reform. This idea seems to be gathering momentum. In September, over 50 Foreign Ministers attended the launch event of an “Alliance for Multilateralism.” And there are rumours of a renewed global experts process, similar to the Commission on Global Governance of the 1990s.

UN2020 has planned, hosted, or otherwise participated in a range of events over the second half of 2019, at UN headquarters in New York and at various national capitals.

On November 12th, a day-long information, organization and strategy meeting was held in New York. Over 80 organizations participated in developing a UN2020 Plan of Action and a division of labour for the year ahead.

Updates, along with links to recent videos and meeting outcome documents, can be found on the UN2020 website (UN2020.org), where there is also a sign up for the email newsletter as well as opportunities to participate in the campaign.
The International Criminal Court is currently engaged in ten preliminary examinations, and has eleven situations under investigation.

Preliminary examinations are currently being conducted in Afghanistan, Colombia, Guinea, Iraq/UK, Nigeria, Palestine, the Philippines, Ukraine, and Venezuela.

Following the preliminary examination, the request to open an investigation into the situation in Afghanistan was rejected by the Pre-Trial Chamber in April 2019. The Office of the Prosecutor is currently considering all available legal remedies.

**Bangladesh/Myanmar**

In November 2019, following a request from the Prosecutor, an investigation into alleged crimes of deportation, persecution, and any other crimes relevant to the Court against the Rohingya people.

At question was whether the Court had jurisdiction over crimes that took place only in part in the territory of a State Party. Myanmar is not a State Party, but Bangladesh is.

**Central African Republic (I)**

Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidele Babala Wandu, and Narcisse Arido, were found guilty of offences against the administration of justice in October 2016 and sentencing took place in September 2018. Later in 2018, Bemba filed an appeal, which was heard in September 2019. The judgement on the appeal will be made in late November 2019.

**Central African Republic (II)**

The Government of CAR referred this situation in May 2014. The situation focuses on alleged war crimes and crimes against humanity committed since 1 August 2012, in the context of the conflict between Muslim Séléka and Christian anti-balaka groups.

An arrest warrant was issued in November 2018 for Alfred Yekatom and he was surrendered to the Court on November 17. A further arrest warrant, for Patrice-Edouard Ngaïssona, was issued on 7 December 2018 and he was arrested five days later. The two cases were joined by the Pre-Trial Chamber in February and the confirmation of charges hearing took place in September and October 2019. The judges will now assess whether there is sufficient evidence to continue with the case.

**Côte d’Ivoire**

The cases of Laurent Gbagbo and Charles Blé Goudé, charged with crimes against humanity allegedly committed in Côte d’Ivoire in 2010 and 2011, were joined in March 2015 and the trial began in January 2016. In January 2019, both were acquitted. In July 2019, the Trial Chamber filed reasons for the acquittal and the Prosecutor will, in response, file a notice of appeal.

The case against Simone Gbagbo remains at the pre-trial stage as she is still not in the custody of the Court.

**Darfur, Sudan**

The situation in Darfur, Sudan was referred to the Court by the UN Security Council in March 2005.

There are four current cases concerning the situation in Darfur, Sudan with five suspects -- Ahmad Harun, Ali Kushayb, Omar Hassan Ahmad Al Bashir, Abdallah Banda Abakaer Nourain, and Abdel Raheem Muhammad Hussein -- who all remain at large.

Following the recent political changes in Darfur, the situation regarding Al Bashir in particular may change, as there have been calls from within Sudan to have him turned over to the Court.

**Democratic Republic of the Congo**

In 2012, Thomas Lubanga Dyilo was convicted and sentenced to 14 years of imprisonment. He has transferred to a prison in DRC in 2015 where he continues to serve his sentence. Implementation of the collective reparations decision continues.

The trial of Bosco Ntaganda began in September 2015 and he was found guilty in July 2019 of 18 counts of war crimes, and crimes against humanity committed in Ituri, DRC between 2002 and 2003. In early November 2019, Ntaganda was sentenced to thirty years imprisonment. An appeal is possible. As well, victims’ reparations are still to be considered.

Sylvestre Mudacumura, for whom an arrest warrant was issued in 2012, remains at large.

**Georgia**

An investigation into crimes allegedly committed in and around South Ossetia, Georgia in 2008 was begun in January 2016 and continues.

**Libya**

Mahmoud Mustafa Busayf Al-Werfalli, Saif Al-Islam Gaddafi, and Al-Tuhamy Mohamed Khaled are all still at large and, as a result, their cases remain pending.

**Kenya**

Arrest warrants for Walter Ospari Barasa, Paul Gicheru and Philip Kipkoech Bett for various offences against the administration of justice remain outstanding.

**Mali**

Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud was surrendered to Court’s custody at the end of March 2018. The Pre-Trial Chamber confirmed charges of war crimes and crimes against humanity in a confidential decision at the end of September 2019. A redacted version of this decision will be made available at a later date.

**Uganda**

The case against Joseph Kony and Vincent Otti remains pending as they are still at large.

The trial of Dominic Ongwen began in December 2016 and the Defence is currently presenting evidence, which is expected to be completed before the end of the year. Closing arguments are set to begin in March 2020.

**Other**

In late November, Kiribati acceded to the Rome Statute. It will become the 123rd State Party when the Statute enters into force on February 1st, 2020.

Prior to Kiribati’s accession, 122 countries had ratified the Rome Statute -- 33 in Africa, 18 in the Asia-Pacific area, 18 in Eastern Europe, 28 in Latin America and the Caribbean, and 25 in Wester Europe and other states.
Released earlier this year, Noah Weisbord’s well-written new book, The Crime of Aggression: The Quest for Justice in an Age of Drones, Cyberattacks, Insurgents, and Autocrats, offers an up close account of the progress that has been made in incorporating and codifying the Crime of Aggression at the International Criminal Court. This book, which is accessible to non-legal experts, sets out how norms of international humanitarian law, including the Crime of Aggression, need to adapt to the evolving changes in the nature of warfare, such as the use of drones and cyber warfare.

As a result of his personal involvement in the development and codification of the Crime of Aggression, Weisbrod is able to provide real depth and a behind the scenes perspective. The book considers the history of the crime of aggression and the challenges faced by its champions.

The Crime of Aggression: The Quest for Justice in an Age of Drones, Cyberattacks, Insurgents, and Autocrats
Noah Weisbord
Princeton University Press, 2019

Most will remember Samantha Power as the former United States Ambassador to the United Nations, from 2013 to 2017, under Barack Obama. Power had previously been a Special Assistant to Obama and responsible for multilateral affairs and human rights on the National Security Council.

She previously wrote, A Problem from Hell: America and the Age of Genocide, and compiled and edited Realizing Human Rights: Moving from Inspiration to Impact; Chasing the Flame: Sergio Vieira de Mello and the Fight to Save the World; and The Unquiet American: Richard Holbrooke in the World.

This book, a memoir, follows Power through her childhood in Ireland, work as a war correspondent in Bosnia, and academic career to when Barack Obama, then a senator, noticed her critiques of US foreign policy and her following work on his ultimately successful presidential campaign and as part of his administration.

Power is frank and open about her idealism and desire to contribute to the betterment of society.

The Education of an Idealist: A Memoir
Samantha Power
Harper Collins, 2019

In this book, Elena Flor traces the evolution of the international monetary system over the last two centuries, from the system based on the gold standard, to that based on a dollar convertible to gold at a fixed exchange rate, to the emergence of the Euro, and the current multi-currency system.

SDR’s (Special Drawing Rights) were intended to eventually supplant the role of national currencies in general and the dollar in particular.

An important chapter in the evolution of the system towards a multi-currency structure (currently with three main currencies – dollar, euro, renmimbi – and two minor ones – yen and pound) was the process of European monetary unification, to which Elena Flor dedicates a significant part of the book.

Flor also illustrates how the international monetary system is increasingly becoming multi-currency. Countries whose currencies could gain increasing weight in the near future, up to becoming part of the SDR basket, could be Brazil, India and Russia. But there are also new technological developments, such as virtual currencies like bitcoin, that may intersect with SDR’s in the future.

Overall, this book provide an interesting look back at how the international monetary system evolved and a speculative consideration of what could come next.

SDR: from Bretton Woods to a world currency
Elena Flor
P.I.E. Peter Lang, 2019
Now that the Canadian federal election is over and a minority Liberal government is in place, what can we expect to happen next in Canadian foreign policy?

To begin with, there are new ministers. François-Philippe Champagne is now the Minister of Foreign Affairs, while Karina Gould becomes Minister of International Development. Harjit Sajjan remains as Minister of National Defence.

Prior to entering politics, Champagne was an attorney and businessperson. Amongst other roles, he was previously Minister of International Trade. Gould has experience as Parliamentary Secretary for International Development, as well as Minister of Democratic Institutions.

There is also a new set of cabinet committees, including a Cabinet Committee on Global Affairs and Public Security, chaired by Navdeep Bains, the Minister of Innovation, Science, and Industry and Minister of Economic Development and Official Languages Mélanie Joly as vice-chair. Although at first glance, Bains and Joly seem odd choices, many of the other cabinet committees have similar, unrelated choices for their leadership.

As we consider where Canada’s foreign policy may be headed, we can look at the platform the party put forward during the election campaign, as well as the responses they provided to the questions WFMC sent them. (Links to a more extensive summary of their platform and their complete responses to the WFMC questions are at wfmcanada.org/2019-election/)

The platform says the Liberals will 'renew' Canada’s commitment to peacekeeping with new investments, particularly to advance the women, peace and security agenda. In the WFMC questions they identified the absence of women as the “central challenge for peacekeeping in the 21st century” and pointed towards the Elsie Initiative they launched in 2017.

In their platform, the Liberal Party also pledged to expand Canada’s role in multilateral organizations, particularly NATO and the UN. Additionally, they said they would establish a “Canadian Centre for Peace, Order, and Good Government”; provide “additional resources” to international institutions like the International Criminal Court and the World Trade Organization; and take a leadership role in the development of international protocols to ban the use of fully autonomous weapons systems.

In response to a question about strengthening the United Nations, the Liberal Party declared their support for a rules-based international order and the accompanying multilateral institutions, while also recognizing the need for reform. In this context, the Canadian campaign for a UN Security Council seat, which is largely based on the values expressed by Canadian foreign policy, such as democracy and human rights (rather than specific actions), was also mentioned.

The party would also gradually increase Canada’s overseas development assistance each year towards 2030; improve, in unspecified ways, international development assistance; spend at least 10% of ODA budget on education; and lead an international campaign to ensure quality education in refugee and displacement camps.

As well, the Liberals say they will introduce government legislation for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which WFMC has been advocating for some time, “by the end of 2020.” The implementation of UNDRIP was one of the important calls to action of the Truth and Reconciliation Commission. In the previous parliament, a private members’ bill on UNDRIP was introduced, but (as a result of Conservative Party obstruction in the Senate) failed to pass before parliament was dissolved.

In response to the WFMC question on what Canada’s international climate change commitments should be, the Liberals committed to a net-zero greenhouse gas target for Canada by 2050. They will appoint an expert advisory panel to generate recommendations on how to reach the target and legislate five-year carbon budgets beginning in 2025.

WFMC also asked about which nuclear disarmament measures the Liberals would support. They replied that, although they support nuclear disarmament, "the conditions required to facilitate further major reductions in nuclear arsenals and eventually eliminating them are not present," because of the lack of participation of the nuclear weapons-possessing countries.

continue on page 16
Given that this is a minority government, the key foreign policy issues identified by those parties most likely to collaborate with the Liberal Party are also of interest.

All three of these parties -- the New Democratic Party, the Bloc Québécois, and the Green Party -- agree with the implementation of UNDRIP.

The Bloc Québécois' five foreign policy priorities are: climate change, international trade reform (especially related to environment and labour), promotion of multilateralism, the fight against tax havens, and Quebec's authority in relation to its jurisdiction. The Bloc did not respond to WFMC's questions.

The Green Party used an interesting approach in their platform, explaining the Sustainable Development Goals (SDGs) and labelling sections in the platform with their related Global Goals. They advocate for a role for Canada in strengthening multilateralism and would like to see Canada’s overseas development assistance budget increase to 0.7 per cent of GDP. They would also like to see Canada’s role in peacekeeping expanded.

The New Democratic Party of Canada also supports a recommitment to multilateral peacekeeping, including participation in missions and fully implementing the women, peace and security agenda in all aspects of peacekeeping work. As well, they would like to see more work towards ending sexual harassment and assault in the military. They also would like to see Canada’s ODA spending increased to 0.7% of GDP and have Canada do more to support and implement the SDGs.

Many of the Green Party and NDP responses to the WFMC survey were similar.

Answering the question on what Canada can do to strengthen the United Nations, both parties declared their support for the Responsibility to Protect; a United Nations Emergency Peace Service; a United Nations Parliamentary Assembly; and meaningfully marking the 75th anniversary of the United Nations.

And on nuclear disarmament, both parties think Canada should support a NATO policy of "No First Use"; de-alerting, i.e. a NATO policy of taking missiles off hair-trigger alert and eliminating options to launch on warning; and signing the Treaty on the Prohibition of Nuclear Weapons.

In regards to the question about Canada’s global climate change commitments, the Green Party said they would like to see Canada’s commitment double, so that greenhouse gases are cut to 60% below 2005 emission levels by 2030. Meanwhile, the NDP would like to see a climate emergency declared and put in place ambitious targets to limit temperature rise to 1.5 degrees Celsius, along with the creation of an independent Climate Accountability Office.

Which foreign policy priorities the current federal government chooses to pursue are still unknown. Where, and if, the government pursues collaboration with the like-minded parties remains to be seen. But there are clearly numerous areas, such as peacekeeping, climate change, and UNDRIP implementation, that are ripe for cooperation.

**The Other Threat to Our Species**

While we are reminded daily of the challenges humanity faces coming to terms with global warming, we seem to have lost sight of the other existential crisis our planet is facing -- the risk of nuclear conflagration.

At a minimum, steps must be taken to reduce nuclear risks to a manageable level, while we continue to work towards the total elimination of the danger.

In his latest book, "The Doomsday Machine," Daniel Ellsberg recalls the events of the Cuban Missile Crisis to remind us how miscalculation coupled with poor intelligence can sometimes lead us to the brink of disaster -- even when you have two superpower leaders intent on avoiding military conflict.

Ellsberg was intimately involved in the negotiations that eventually led to a peaceful resolution of the crisis. He also had access to highly classified information including U.S. nuclear war-fighting plans. At that time, the estimate of the number of deaths from a U.S. first strike was 600 million, mostly civilians, and another 100 million from a retaliatory strike from the remnants of Soviet nuclear forces.

When Ellsberg asked the Pentagon what would be the count if one included the effects of the firestorms that would be created from the atomic explosions, they doubled the death count, taking the total death count to well over one billion people (or one-third of the global population at the time).
It wasn’t until 22 years after the Cuban Missile Crisis when studies enlightened us about the dangers of a nuclear winter. That is when Ellsberg came to the realization that civilization could have ended with the events that occurred in October 1962.

Ellsberg thinks that the very existence of nuclear weapons in the hands of the superpowers poses “intolerable dangers to the survival of civilization.”

These days U.S. and NATO forces are equipped with a mixture of conventional and nuclear weapons of every description. Increasingly, force postures are making more likely military scenarios of “limited nuclear war.” Although he did not always hold this view, Ellsberg is now firmly of the belief that a limited first use of nuclear weapons could never stay “limited.”

Fortunately, the world now has treaty-based, normative frameworks that allow us to move beyond the nuclear threat. It should be incumbent on all peace-loving nations to ratify the treaty prohibiting the possession and use of nuclear weapons.

Unfortunately most states either possessing nuclear weapons or in alliances under a “security umbrella” of one of the nuclear-armed powers face pressure to conform to nuclear war-fighting doctrines and political orthodoxy.

At present we are in the midst of a renewed and very dangerous arms race, one that is heightening the risks of accidental nuclear war. Driven by these nuclear war-fighting policies of the United States and Russia an unprecedented – and very expensive – nuclear modernization is underway.

What has to happen to reduce tensions and decrease nuclear dangers is, at a minimum, to move to a deterrent-only defence posture. Both sides should declare a “no first use” policy, which should in turn bring about a drastic reduction to the number of weapons on each side. (Russia and the United States are each now estimated to possess more than 6000 nuclear devices). This also would allow each side to take their weapon systems off of the hair-trigger alert. By so doing they would retain survivable second strike forces, a “deterrent,” but one with less likelihood of crossing the tripwire, by accident or miscalculation, to nuclear use and the devastation of human civilization.

Canada should lobby NATO to adopt a no first use policy which would include the removal of U.S. nuclear weapons now stored in Europe back to the United States.

UN2020: Get Involved Now!

by Nancy Dunlavy

An update on UN2020 and the United Nations’ UN75 campaign appears on page 12 of this Mondial issue.

So … how can individuals, WFMC branches, or globally-engaged organizations and communities participate? I offer some ideas in this article:

Be informed! Take a look at the wealth of information available:


UN75: https://www.un.org/un75

Together First: https://together1st.org/

Sign up for updates and actions from UN2020: http://un2020.org/updates/.

Also follow on Facebook https://www.facebook.com/UN2020Initiative/ and Twitter https://twitter.com/_un2020_.

Sign up to support and receive news from Together First (https://together1st.org/), a growing movement of global citizens “committed to making the best ideas for global governance a reality.” You can also submit a proposal to Together First on how a reform to our global system could be implemented.

Share the news

WFMC shares UN2020 updates in our monthly news email. If you are not already on our email list, sign up at wfmcanada.org Then, when you receive these notices, please read and share widely!

Take and share the UN75’s short survey.

Current URL is beta.un75.online. If the address changes, it can be found in the UN75 toolkit (https://www.un.org/en/un75/join-conversation)

Participate in or host social media chats or online discussions. Ideas for implementation are available in the UN75 toolkit:

Host a local UN75 Global Conversation (or a series of them!) in your community. This can be as simple as a “house party” or as large as a multi-partner series of events open to the entire community. The UN75 Toolkit is a great resource for ideas (https://www.un.org/en/un75/join-conversation).
In both the Liberal platform during the recent federal election and in the more recent speech from the throne, the current government committed rather vaguely to “renew Canada’s commitment” to United Nations peacekeeping.

As it currently stands, with the end of Canada’s all-too-brief deployment to the peacekeeping mission in Mali (MINUSMA), Canada has 49 peacekeepers, ranking 72nd amongst contributing countries.

Of the 49 Canadian peacekeepers, there are 20 police, 29 military staff officers and experts, and no troops spread over six missions (in Mali, Haiti, South Sudan, Democratic Republic of Congo, the UN Truce Supervision Organization (Middle East), and Cyprus).

This minimal peacekeeping presence may harm Canada’s bid for one of the rotating Security Council seats. The two-year seat on the Security Council would begin in 2021. Canada is a member of the Western European and Others Group (WEOG) of states. Two seats in the WEOG group become available every two years.

WFMC President Dr Walter Dorn said in a recent article, that Canada’s bid will be a hard sell. “We can’t make a case that we’re a contributor to the UN’s work in peace and security if we don’t have the boots on the ground and a major presence in peacekeeping.”

WFMC’s campaign Canadians for Peacekeeping (peacekeepingcanada.com) tracks Canada’s personnel commitments to UN peace operations on a monthly basis, along with analysis from Dorn. During the previous government, a number of promises and pledges were made. Specifically:

Upon election in 2015 Justin Trudeau promised that Canada would re-engage in UN peacekeeping. The Prime Minister gave explicit instructions to this effect in Defence Minister Harjit Sajjan’s Mandate Letter.

At the September 2016 Peacekeeping Ministerial Meeting in London, Canada announced new personnel pledges (“up to” 600 military and 150 police).

At the November 2017 Ministerial Meeting held in Vancouver the Prime Minister specified the nature of the previous pledges. The 2017 commitments included training and a new project, the Elsie Initiative, dedicated to increasing women’s participation in peace operations.

In March 2018 Defence Minister Sajjan announced a commitment to deploy an Aviation Task Force to the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

At the moment, the nature of the Canadian government’s plans to renew their peacekeeping commitment is unknown.

The Canadians for Peacekeeping campaign calls upon the Government of Canada to live up to its pledges. It seeks to educate and mobilize Canadians so that Canada can contribute to the improved effectiveness of United Nations peace operations.

As part of that campaign, an annual fact sheet summarizing Canada’s participation in UN peacekeeping within the global context is produced in August to coincide with Canada’s National Day for Peacekeepers. It can be found at the Canadians for Peacekeeping website (peacekeepingcanada.com).

**Ottawa**

A small group is working to reconstitute the Ottawa branch. If you are interested in helping to plan or participate in occasional meetings, please contact the National Office at monique@worldfederalistscanada.org to be kept up to date.

**Victoria**

The branch hosted talks by different branch members monthly in September, October, and November.

In September Bill Pearce spoke on “Is Nuclear War Inevitable?” providing a perspective on the level of risk of nuclear war between the superpowers as a result of ongoing foreign policy and modernization decisions.

In October, Philip Symons talked about his new book “Surviving Civilization’s Collapse with Hope, Love and a Little Humour.”

In November, Corey Levine provided insight into her experiences in the Ukraine as part of an international elections monitoring delegation under the auspices of the Organisation for Security and Cooperation in Europe (OSCE).

**Montreal**

The branch’s Coffee and Discussion forum continued throughout the summer, meeting on the first Tuesday of the month at Anticafé. Recent topics of discussion have included foreign policy, Mali, climate change, Venezuela, Quebec’s proposed Bill 21 prohibiting religious attire/symbols by public officials, China, and assistance for migrants.

The Marie-Berthe Dion Issues Action Group continued to meet to write letters on specific areas of concern, which recently included supporting Indigenous rights, Yemen, and the Kurds.

The branch annual post-holiday luncheon will be held on Sunday February 9th at 1pm, at the Museum of Fine Arts.

**Toronto**

The Toronto branch has a website (https://wfmc-toronto.org/) where you can sign up for their mailing list and be apprised of details of their regular meetings. They are also on Twitter (@wfmctoronto) and Facebook (WFMC Toronto).

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**Canada and UN peacekeeping update**

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WFMC’s campaign Canadians for Peacekeeping (peacekeepingcanada.com) tracks Canada’s personnel commitments to UN peace operations on a monthly basis, along with analysis from Dorn. During the previous government, a number of promises and pledges were made. Specifically:
In June 2019, the federal government appointed Jacqueline O’Neill as Canada’s first Ambassador for Women, Peace and Security.

Liberal Member of Parliament Borys Wrzesnewskyj had introduced a private members’ motion calling on the government to appoint such an ambassador in 2018 and held initial consultations across the country on the idea.

The mandate for Ambassador O’Neill makes clear that she is to take a central role in reinforcing Canada’s efforts “to ensure more inclusive, gender-equal and peaceful societies around the globe through the participation of women in conflict prevention, stabilization and peacebuilding” along with advising on the ongoing implementation of the National Action Plan on women, peace and security. She is particularly tasked with providing advice to the ministers of Crown-Indigenous Affairs; Foreign Affairs; Immigration, Refugees and Citizenship; Indigenous Services; International Development; Justice; National Defence; Public Safety and Emergency Preparedness; and Women and Gender Equality.

Ambassador O’Neill has a Master’s degree in Public Policy from the Harvard Kennedy School of Government. She has worked in the development of national strategies and policy with more than 30 countries and numerous multilateral organizations, including the United Nations and NATO. She is particularly experienced in the women, peace and security field and has previously advised the Canadian government on both national action plans and the mid-term review of the first national action plan.

Prior to her appointment as ambassador, she was a Global Fellow at the Woodrow Wilson Center’s Canada Institute, an Adjunct Professor at Georgetown University, and a member of the board of directors of the Canadian International Council.

Since beginning work in August, Ambassador O’Neill has met with members of the Women, Peace and Security Network – Canada (WPSN-C), including WFMC, to discuss the expectations of civil society, who have long advocated for the appointment of a high-level champion for women, peace and security issues in Canada. In a longer meeting in October, the Ambassador consulted with WPSN-C on priorities for her three-year term.

National Action Plan on Women, Peace and Security progress report

Annual progress reports on the National Action Plan are intended to be tabled in the House of Commons by the end of September each year ahead of being publicly released. However, as a result of the timing of the recently completed federal election, the progress report, which covers the year from April 1 2018 to March 31 2019, has been delayed.

An exact date for the report’s release will be set later. As a result, the next meeting of the WPS Advisory Group, composed of government and civil society representatives, will also be delayed so that the report can be discussed.

#WPSAdvice for the next federal government

In the period during and immediately after the recent federal election, the Women, Peace and Security Network - Canada published a series of blog posts on different areas of the women, peace and security agenda that the new Liberal minority government should attend to, including women in the military, humanitarian disarmament, and arms sales to Saudi Arabia.

The series can be found on the website of WPSN-C: wpsn-canada.org.

New WPS resolution passed at the UN Security Council

At this year’s annual open debate on women, peace and security at the UN Security Council in October a new resolution, 2493, was unanimously adopted. This resolution, in part, calls on Member States to fully implement all the other resolutions and commit to the WPS agenda more broadly, facilitate women’s full participation in peace talks and peacebuilding efforts, and promote women’s civil, political, and economic rights.
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