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DOUBLE
FEATURE
ISSUE

PART I:
ANTICIPATING THE
SUMMIT OF THE FUTURE

PART II:
ADVANCING PROPOSALS
IN INTERNATIONAL LAW



WORLD FEDERALIST
MOVEMENT - CANADA



Citizens for
Global Solutions

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Cover image: The Knotted Gun, also known as "Non-Violence," was created by Swedish artist Carl Fredrik Reuterswärd, a friend of John Lennon's family after Lennon's tragic death to honor his vision of a peaceful world: Fronl, via Wikimedia Commons.

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LETTER FROM THE EDITORIAL BOARD

Dear reader,

The future is upon us.

As the days of summer wax, the horizon-line seems to elongate and it is tempting to see the arc of history – especially this year, as we approach what has been hailed as a “once-in-a-generation” opportunity for profound change in global governance as we know it: the Summit of the Future.

In this double feature issue of *Mondial*, we bring you firsthand perspective from those at the epicentre of the Summit of the Future process, a project envisioned by United Nations Secretary-General António Guterres with an aspiration to “create a new international consensus on how to safeguard the future and improve the present.” On the road to the Summit in September, there have been many steps along the way, as you will read in this issue. Our contributing authors are not observers to, but drivers on this hopeful path to an improved United Nations and enhanced global governance architecture. They invite us along with them as they explore and advocate for new ideas and reforms of old ways. Whether or not our common project succeeds and the Summit delivers on its promise has yet to be seen, but you will read how seeds have been planted and soil tilled.

The second part of this double issue focuses on the fulcrum of global governance: law. Recognizing that there can be no peace without justice, we trace a path from the origins of modern international humanitarian law and the birth of the “spirit of The Hague” 125 years ago to current efforts to bring an end to impunity and realize accountability for international crimes that shock the conscience of humanity. These initiatives include progressing proposals toward a Crimes Against Humanity treaty, International Anti-Corruption Court, and UN veto reform.

Finally, we champion scholarship in our book recommendations section with two new publications that provide insight into our movement’s past, with *The Idealist: Wendell Willkie’s Wartime Quest to Build One World*, and its future, with *Keep Hope Alive: Essays for a War-Free World*. We hope these works offer inspiration as we meet the present moment and seek a more peaceful, free, just and sustainable world.

As world federalists and allies, we recognize that our movement is built on common purpose and collective action. Your support makes this possible. Please consider giving to sustain and advance *Mondial* and our shared mission. Thank you for taking this journey with us.

In global solidarity,

The Editorial Board



HUMANITY IS AN IDEA

Homo sapiens is a fact of nature
but humanity is an idea borne by our nature.

If one says "I am a human,"
one speaks of a natural coincidence.
If one says "I am a member of humanity,"
then one speaks of an ancient idea.

Humanity is an idealistic nation.

It both
does not yet exist
and currently exists in
the beating hearts
and the brimming minds
of the teeming striving masses.
And is constantly imminent

in actions of recognition.

We may call the best of us
humanitarians,
but we all know
the best of us
is within each of us.

So I rub my stomach in hunger
and scratch my head in wonder
for my desire to build that nation.

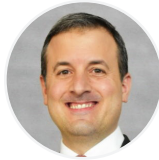
Because all subdivisions
while currently more tangible
pale by comparison to that dream.
Recognize the humanity of others
and you too are a nation-builder.



Brandon Nakasato

Brandon Nakasato is an educational administrator at the University of British Columbia and currently working to revive the WFM-Canada Vancouver Branch. He is the former chairperson of the Alaska State Commission for Human Rights and founder of the community engagement nonprofit, Our Commonwealth.

2024 SUMMIT OF THE FUTURE: WHAT IT IS, WHY IT MATTERS & HOW YOU CAN CONTRIBUTE



Richard Ponzio

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Nudhara Yusuf

Nudhara Yusuf is Executive Coordinator of the Global Governance Innovation Network at the Stimson Center and serves as Youth Coordinator at the Coalition for the UN We Need. She was Co-Chair of the 2024 UN Civil Society Conference in advance of the Summit of the Future.

The first part of *Mondial* delves into the critical discussions and preparations for the upcoming Summit of the Future. It explores issues on the agenda, expectations of civil society, and potential outcomes that could redefine international cooperation and justice.

Against the backdrop of Great Power tensions and Global North-South mistrust, the United Nations (UN) [General Assembly committed](#) to convening a Summit of the Future on September 22 and 23, 2024 in New York, aimed at “reaffirming the Charter of the UN, reinvigorating multilateralism, boosting implementation of existing commitments, agreeing on concrete solutions to challenges, and restoring trust among Member States.” This ambitious undertaking stemmed from a recommendation of the UN Secretary-General António Guterres in his [Our Common Agenda](#) report, pursuant to his mandate in the September 2020 [UN75 Declaration](#).

At its core, the UN Summit of the Future (SOTF) offers a

historic opportunity to adopt several far-reaching, high-impact global governance innovations in support of human security for all. Its success also hinges on a robust, closely monitored follow-up effort, championed by developing and developed countries alike, to support the goals and commitments adopted at the Summit.

SOME OF THE BIGGEST IDEAS THAT COULD SHAPE THE SUMMIT OF THE FUTURE’S LEGACY

With time running down until the Summit, to be held at the UN headquarters and preceded by “SOTF Action Days” on September 20-21, the contours of its likely legacy – a more effective, networked, and inclusive multilateral system – are

taking shape. Through negotiations on [Revision 1](#) of the Summit's main instrument, the Pact for the Future, five major initiatives are emerging:

- A **Biennial Summit on the Global Economy** to bring the G20 and the UN closer to expand development financing for the 2030 Agenda [Sustainable Development Goals (SDGs)] and improve global economic governance.
- An **Emergency Platform** for better addressing complex global shocks, such as pandemics or large-scale environmental disasters (although influential countries, such as Cuba and Pakistan, question its purpose and cost).
- A **Global Digital Compact** with human rights-based principles to lay the foundations for broader governance of cybertech, including artificial intelligence.
- A **Declaration on Future Generations**, which – if backed by an authoritative intergovernmental body, a Special Envoy, and a monitoring tool – could eventually achieve the status and impact of the Universal Declaration of Human Rights.
- **National Prevention Strategies** (as originally proposed in the Secretary-General's *New Agenda for Peace*) to address violence and armed conflict-drivers, including by facilitating actions to quantifiably reduce violent deaths.

For all five initiatives, work remains to be done to overcome [lingering mistrust](#), set up proper configurations (anchoring the Biennial Summit around the General Assembly's High-Level Week rather than the Economic and Social Council), account for associated costs, create operational tools (akin to the Human Rights Council's Universal Periodic Review),

ensure implementation, and monitor progress.

Time is running short, with the second (and potentially final) revision of the Pact for the Future published on July 17 on International Justice Day, following a Third Reading by UN diplomats in New York. But progress toward several more global governance innovations is achievable, including targeted reforms and upgrades to the Security Council, General Assembly, Peacebuilding Commission, international financial architecture, environmental governance, and international judicial institutions (*for recent studies on each of these topics, visit the [Global Governance Innovation Network](#)*). The formation and scaling-up of some twenty [ImPACT Coalitions](#) at the recent [2024 UN Civil Society Conference](#) offers hope for the adoption of more highly effective global governance changes by September, including ideas long championed by [African](#) and other diverse civil society groups worldwide.

The first Revision of the Pact for the Future includes 52 proposed actions and commitments by the UN's 193 Member States. Some 24 of these actions lend direct support to at least one of the 17 SDGs, many of which represent global governance gaps identified in the September 2023 SDG Summit Political Declaration. In each of the Pact's five chapters, the Namibian and German Co-Facilitators sought to ensure dedicated actions on gender, human rights, and sustainable development, privileging language supported by multiple delegations on strengthened multilateral cooperation.

IMPACT COALITIONS AND THE "SPIRIT OF NAIROBI"

On May 9 and 10, 2024, thousands of participants across the



UN Secretary-General António Guterres addresses the closing ceremony UN Civil Society Conference in Nairobi in May 2024. Credit: UNIS Nairobi.

ANTICIPATING THE SUMMIT OF THE FUTURE

world gathered in Nairobi, Kenya, and online, for the [2024 UN Civil Society Conference in Support of the Summit of the Future](#). Building on 68 previous UN Civil Society Conferences, this was “Conference 2.0,” as both the first to be explicitly connected to a UN intergovernmental process, and the first to take place in the Global South. This spirit showed in the new voices that were present at the conference. This global convening also hosted a vigorous and far-reaching discussion about the future in a region where our decisions today will impact the future the most, and thus is fast becoming the “Spirit of Nairobi.” The [Coalition for the UN We Need](#), spearheaded by the World Federalist Movement – Institute for Global Policy (WFM-IGP) and financially administered by WFM-Canada, served as one of four major umbrella coalitions in initiating and leading the conference’s organization.

A particularly interesting question that arose from the Nairobi Conference was: who owns the Pact for the Future? What became clear was that no individual stakeholder group can meaningfully take full ownership of the Summit’s chief outcome document. Each has a role to play, and while the co-facilitators perform a facilitation role and Member States perform an official negotiating role, the Pact does not mean much if it is not collectively owned by “We the Peoples,” in terms of both delivering on implementation and in generating inclusive impact.

The second day of the conference gave birth to 20 multistakeholder ImPACT Coalitions, or “ICs.” The ICs

represent an experiment in self-organization, bringing together civil society, international organizations, governments, and the business community on issues as diverse as international financial architecture reform, artificial intelligence and cybertech governance, peacebuilding, future generations, and funding community action. At their core, ICs assemble diverse expert stakeholders working on various Summit of the Future-related issues to create networks that support Member States who wish to champion the adoption and implementation of pathbreaking global governance innovations. They also begin the discussion of implementation early. Through this approach, the coalitions seek to ensure that both the lead-up and follow-up to the summit are based on inclusive and networked multilateralism.

This innovative approach pushes the envelope on how civil society engages with intergovernmental processes. ICs enable civil society to convene proactive discussions and related actions to help multilateral institutions (which, increasingly, are multi-stakeholder in nature) and their members to progress on commonly agreed priority goals and commitments. Individual members of the World Federalist Movement and Citizens for Global Solutions are highly encouraged to [reach out to the focal points and get directly involved in the work](#) – before and after the Summit of the Future – of the 20 ICs.

During the lead up to the Summit, these self-organized groups could become a support system for experts in New York negotiating on behalf of Member States. Beyond September,



Photo from the 2024 UN Civil Society Conference capturing the “Spirit of Nairobi” during the Opening Ceremonies”. Credit: UNIS Nairobi.



Participants at the UN Civil Society Conference in Nairobi in May 2024. Credit: UNIS Nairobi.

the ICs could serve as a connective bridge between civil society, the private sector, existing UN initiatives, and capitals by facilitating the communication of core messaging and managing Summit of the Future expectations within related policy and civil society-led fora.

TAKING THE SUMMIT OF THE FUTURE'S AGREED ACTIONS FORWARD: A POSSIBLE ROLE FOR ARTICLE 109?

The Summit of the Future can be both a milestone and the first step in a longer journey for global governance renewal and innovation. Beyond shaping its agenda, coalitions of like-minded champion governments and nongovernmental partners – ideally, taking shape along the lines of the nascent ImPACT Coalitions outlined above – are necessary to ensure tangible, as well as measurable, delivery on specific Pact for the Future, Global Digital Compact, and Declaration on Future Generations goals and commitments.

Unlike the UN75 Declaration's broad vision and vague 12 actions, the Pact for the Future's comparative strength will rely on securing distinct collective political commitments, including ambitious global governance innovations. Whether the Summit matters also depends on how well Member States, senior international civil servants, and their partners in civil society and the corporate world come together to carry out and monitor the agenda adopted in September.

Although limited to Security Council reform, the Secretary-General's [High-Level Advisory Board on Effective Multilateralism](#) recommended consideration of Article 109 Charter revision. A worthwhile exercise post-September would involve assessing whether additional Charter amendments might help in fulfilling other goals and commitments in the Pact for the Future.

Just as the [UN's founders](#) advised in June 1945, we must recognize the UN Charter's imperfections, the need to

improve it, and to [demystify as well as push back against Charter review detractors](#). With political attention expected to shift to the post-2030 development agenda and other exigencies facing the next Secretary-General in early 2027, the end of the 80th General Assembly in 2026 offers an ideal moment to push for long-overdue structural changes in our global governance system and to renew humanity's appreciation for the international rule of law.

Approaching this project with a degree of humility and a long-term perspective is essential. The pace of artificial intelligence and other technological changes alone ensure that whatever reforms agreed to by Member States in September 2024 will require significant updating by at least 2045 (the UN's centenary), let alone later in the century. The framers of the UN Charter understood this critical insight and encouraged updating and, when necessary, remodeling of the world body and its many constituent parts. Today's generation must also contend with new complex global issues – including preventing future pandemics, moving away from fossil fuels to a renewable energy driven economy, and other [“long problems”](#) that demand strategic foresight and multi-generational planning and execution (something few, if any, governments seem to incentivize).

This is a time for statespersons from across the Global North and South to step up and exert sustained and unapologetic enlightened global leadership. Increasingly, they have a clear-cut choice to make. Reflecting the decades-long, positive transformation underway in global governance, world leaders who accept and take on – rather than express indifference and shun – today's toughest global challenges will be joined by a myriad of diverse, well-resourced, and networked partners across civil society and the business community. We owe this renewed commitment to collective global action to today's younger generation and all future generations, both to fulfill their most urgent human needs, while charting an environmentally sustainable course toward the realization of their highest aspirations.

THE PACT FOR THE FUTURE: STEPS TOWARD A MODERNIZED UNITED NATION



Fergus Watt

Fergus Watt served for 36 years as Executive Director of the World Federalist Movement – Canada and acts as Coordinator of the Coalition for the UN We Need (C4UN), serving on the Secretariat.

Can the United Nations (UN) adapt to the challenges of the 21st century? On September 22-23, 2024, the UN will convene the [Summit of the Future](#) in New York to reach a new global consensus on how we can improve the present system and safeguard the future. One of the Summit's key outcomes will be the [Pact for the Future](#), which will address five crucial areas: sustainable development and financing, international peace and security, science and technology, youth and future generations, and transforming global governance.

HOW DID WE GET HERE?

Efforts to reform the UN are rare, with the last major attempt led by Kofi Annan in 2005. In 2015, the Albright-Gambari Commission, supported by the [Hague Institute for Global Justice](#) and the [Stimson Center](#), recommended using the UN's 75th anniversary in 2020 as a catalyst for strengthening global governance. The [World Federalist Movement – Canada](#) (WFM-Canada) and various civil society networks seized this idea, initiating a series of consultations in New York, beginning in 2017.

The push for strengthening global governance gained momentum amid declining international cooperation and funding cuts at the UN, notably under the Trump administration. These challenges inadvertently fueled the drive for reform. By 2020, the UN 75 Declaration identified 12 action areas, setting the stage for the Secretary-General's "[Our Common Agenda](#)" report in 2021, which proposed more than 90 recommendations and suggested holding the Summit of the Future.

PREPARING FOR THE SUMMIT OF THE FUTURE

The preparatory process for the Summit has been complex, often influenced by geopolitical tensions. Different state

perspectives on issues such as human rights and environmental governance have made achieving consensus difficult. Despite these challenges, recent consultations and conferences, such as the [UN Civil Society Conference](#) in Nairobi, show a growing engagement and optimism for ambitious outcomes.

KEY RECOMMENDATIONS IN THE PACT FOR THE FUTURE:

The current draft of the proposed Pact presents 52 "Action" paragraphs, each underpinned by concrete Commitments. These Actions are divided into five categories:

SUSTAINABLE DEVELOPMENT AND FINANCING

- Expedite the implementation of an Sustainable Development Goal (SDG) Stimulus.
- Strengthen tax cooperation among Member States, including through a UN tax convention.
- Secure ambitious outcomes on social development financing and convene a 2025 [World Social Summit](#).
- Improve climate finance and sustainable development finance.
- Consider an ambitious post-2030 framework for sustainable development, calling for a Sustainable Development Summit in 2027.

INTERNATIONAL PEACE AND SECURITY

- Analyze the impact of military expenditure on SDGs.
- Adapt UN peace operations by emphasizing a greater role for regional organizations.
- Ensure sustainable financing for African Union-led peace operations.
- Revitalize the UN's role in disarmament – a fourth Special Session for Disarmament is called for.



The UN Civil Society Conference in Nairobi, Kenya, brought together 2,158 civil society representatives; 317 officials from Member States, international organizations, and the UN system; 67 media representatives; and 47 volunteers from 115 countries. Credit: UNIS Nairobi.

SCIENCE, TECHNOLOGY, AND INNOVATION

- Introduce the [Global Digital Compact](#) to set principles for cyberspace governance.
- Support international [artificial intelligence governance](#) with the UN playing a central, norm-setting role.

YOUTH AND FUTURE GENERATIONS

- Appoint a Special Envoy for Future Generations.
- Establish an annual forum to review the Declaration on Future Generations.
- Ensure long-term thinking and intergenerational equity.

TRANSFORMING GLOBAL GOVERNANCE

- Reform the Security Council and revitalize the General Assembly. *Note: Discussions among Member States started late on these two topics and are still under discussion at time of writing.*
- Enhance the role of the Economic and Social Council and the Commission on the Status of Women.
- Strengthen the international financial architecture to mobilize capital for SDGs and climate challenges and to reduce structural imbalances that disadvantage less-wealthy states.
- Increase engagement with stakeholders, including local and regional authorities.

The discussions on UN reform are not isolated from global geopolitical tensions. The US aims to consolidate modest reforms, while a group of states, primarily from the G77, prioritize advancing the SDGs and reforming the international financial architecture. These governments also emphasize the intergovernmental nature of the UN and are wary of extensive civil society involvement. The current

draft Pact's treatment of human rights and environmental governance as "cross-cutting issues," rather than standalone chapters, reflects these tensions.

THE ROLE OF CIVIL SOCIETY

Civil society has become deeply engaged in the global governance reform process, more so than during previous reform efforts. The involvement of civil society in institutional questions of global governance is now taking root globally, not just within the "New York bubble." The May 2024 Nairobi conference highlighted this dynamic, demonstrating the broad interest and engagement of civil society organizations in strengthening the UN.

FUTURE PROSPECTS – LOOKING BEYOND THE PACT FOR THE FUTURE

The current draft of the Pact for the Future represents a modest yet crucial step towards modernizing and strengthening the UN. And who knows? The ongoing upcoming negotiations in New York hold the potential for surprising breakthroughs. The engagement of civil society and the ongoing consultations indicate a positive trajectory, suggesting that the Summit of the Future could yet lead to more meaningful and ambitious outcomes.

To ensure that the promises made in the Pact for the Future result in actionable steps taken by Member States, international organizations and their partners must ensure that the Pact's key Actions and commitments are supported directly by concurrent implementation efforts, backed-up by clear benchmarks and monitoring mechanisms. Only through such dedicated and sustained efforts can we hope to realize a future where the UN is fully equipped to address the multifaceted challenges of the 21st century, creating a more just, peaceful, and sustainable world for all.

ENSURING UN RESILIENCE THROUGH A SPECIAL ENVOY FOR FUTURE GENERATIONS



Erica Wilson

Erica Wilson is the Communications Coordinator at the World Federalist Movement – Canada. She holds a Master's of Global Affairs and has interned in UNICEF's Human Rights Unit in Geneva. Erica is dedicated to empowering youth voices in advocacy and policy spaces, from global to local.



Alyn Ware

Alyn Ware is the Program Director for World Federalist Movement – Institute for Global Policy, Global Coordinator for Parliamentarians for Nuclear Nonproliferation and Disarmament, Peace and Disarmament Program Director for the World Future Council and Director of Basel Peace Office.

The UN Secretary-General's proposal to establish a Special Envoy for Future Generations is gaining traction, including in preparations for the UN Summit of the Future (SOTF). The proposal is linked to efforts to expand the number and authority of representatives (i.e. commissioners, ombudspersons) for future generations at local, national and regional levels. In light of the growing urgency of global issues including resource depletion, conflict, technological disruption, and climate change, this project seeks to reflect the rights and interests of future generations in today's policy decisions.

At all levels of governance – local, national, regional, and global – representatives of future generations would *advocate* for long-term policies that consider and protect intergenerational rights and well-being in decision-making processes. There are already a number of existing examples, including the [Wales Future Generations Commissioner](#), [Gibraltar Commissioner for Sustainable Development and Future Generations](#), and the [Hungary Ombudsman for Future Generations](#). These positions are very different from youth representatives, such as the UN Assistant Secretary-

General for Youth, national Ministers for Youth, or Youth Advisory Councils, the latter are composed of young leaders from diverse backgrounds, representing the interests and perspectives of today's youth. Representatives of future generations represent the rights and well-being of those who will live in this world next year, next decade, next century, and far into the future.

Existing examples of representatives of Future Generations vary in their authority and impact. Those campaigning for a UN Special Envoy envision the position carrying substantial influence and providing meaningful representation for advocates of future generations. However, governments who don't want strong oversight of their policies and actions resist granting significant authority to such an envoy. A core concern of supporters of the proposal is that if the Envoy lacks the power and influence to effect change, it could become a symbolic entity instead of a transformative force.

There is the risk, for example, that Member States will continue to focus on immediate political and economic gains, disregarding the Envoy's recommendations. Additional

challenges arise concerning the Envoy's ability (or inability) to hold powerful nations and multinational corporations accountable for actions that harm future generations.

The proposal draws inspiration from the process used to establish a youth representative at the UN. This process started with establishing a UN Envoy for Youth with very little authority, but then transitioned, through a 2022 UN General Assembly resolution, into a more authoritative UN Office for Youth led by an Assistant Secretary-General for Youth. A similar process for the Envoy on Future Generations could ensure that the authority of the position expands over time to ensure a much stronger role in building and implementing key normative changes to guide 21st century global reform toward resilience.

THE VALUE OF A UN ENVOY FOR FUTURE GENERATIONS IN GLOBAL GOVERNANCE

1. NORMALIZING LONG-TERM POLICY FRAMEWORKS

Establishing the Special Envoy for Future Generations and representatives of future generations at local, national and regional levels would institutionalize long-term evaluation frameworks in global policy. The significance of this institutional perspective shift cannot be overstated. Guided by future-oriented policy frameworks, governments and the international community can more effectively prevent and address urgent crises, from climate change to disruptive technology.

The Envoy would play a strategic role in developing new policy processes and evaluation mechanisms that better assess

the long-term implications of policy decisions. In practice, this looks like more robust and comprehensive impact assessments, future scenario planning, and new benchmarks for sustainability and resilience that are *adopted* across sectors such as environmental protection, economic development, peace and social justice. In addition, the establishment and work program of the Envoy would stimulate, support and guide the establishment of representatives of future generations at local, national, and regional levels.

Accountability, effective impact and transparency are key elements to ensure broad and continued support from UN members. Measures to facilitate this should be rigorously *monitored* with regular reporting. In this regard, the establishment of the UN Envoy could learn from successful examples of existing Future Generations Representatives such as the Wales Future Generations Commissioner established by the [Wales Wellbeing of Future Generations Act 2015](#). The act sets specific goals (outcomes), drawing from the UN Sustainable Development Goals, plus [50 measurable indicators of goal achievement](#).

Transparency and accountability are also reinforced through a General Assembly commission dedicated to future generations. The forum could facilitate productive discourse and collaboration among Member States, but more critically it could also act as a platform for receiving evaluations from the Special Envoy on the intergenerational consequences of policy decisions. This is an especially vital function when the Envoy's mandate focuses on global existential risks. Other fora, such as the UN Youth Townhall, provide an opportunity for youth to engage meaningfully on the subject, a separate but highly relevant aspect of the Summit that has overlap



The 2024 UN Civil Society Conference featured an interactive "Youth Hub" for dedicated youth networking, caucusing, and events. Credit: UNIS.

ANTICIPATING THE SUMMIT OF THE FUTURE

with the dialogue on future generations. While additional accountability mechanisms will be necessary, these fora can play a pivotal role in challenging the status quo system that has led to gross economic inequalities and compromised the long-term health and stability of our global ecosystems, thereby helping to rebuild public trust.

2. FOSTERING INTERGENERATIONAL EQUITY IN GOVERNANCE DIALOGUES

The Special Envoy would enshrine the principle of intergenerational equity in global policies. Part of this future-oriented perspective involves anticipating forthcoming challenges, but it also extends to actively shaping a fair and just world for those who will inherit the Earth after us. This governance lens holds current generations responsible for managing resources and making decisions in ways that do not compromise the ability of future generations to meet their own needs.

The [global civil society campaign for a UN Envoy for Future Generations](#) calls for the parallel “establishment of similar *Representatives of Future Generations* at regional, national and local levels with authority to design and review policies to safeguard their rights.” The campaign envisages that such representatives would be engaged with the UN Envoy to assist in implementing its mandate in UN Member States, and would also be engaged in a global overview and reporting process in the UNGA on the mandate and work of the UN Envoy. The UN Secretary-General has proposed

the establishment of a “General Assembly Commission on Future Generations,” in conjunction with the establishment of the UN Envoy. It “could provide a locus for debate and collaboration by Member States, and a venue to receive assessments from the Special Envoy on the intergenerational impacts of decisions.” The Special Envoy would serve as a vital link, connecting the rights of future generations with enhanced domestic governance mechanisms, and facilitating the collaboration of these domestic mechanisms at the global decision-making level.

One important aspect of this is to involve youth in all levels of decision-making relating to future generations. This is not only significant for intergenerational equity, but it also ensures that the emerging realities experienced by youth, along with the varied voices and perspectives are integrated into policies affecting both current and future generations

3. INTEGRATING DATA AND FORESIGHT FOR SUSTAINABLE GLOBAL GOVERNANCE

The rapid pace of scientific and technological progress presents both opportunities and challenges for future generations. As new technologies like artificial intelligence, biotechnology, and nanotechnology continue to evolve, they bring revolutionary potential but also risks that are often overlooked in current policy frameworks. A Special Envoy for Future Generations would have a complementary role in the UN system, particularly in the context of *Our Common Agenda*, which aims to more effectively harness

1945: Charter of the United Nations

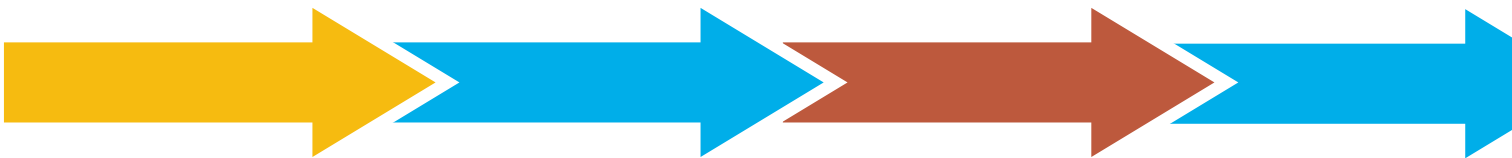
Opens with promise to succeeding generations.

1987: Report of the World Commission on Environment and Development

“We borrow environment capital from future generations with no intention or prospect of repaying... We act as we do because we can get away with it: future generations do not vote; they have no political or financial power; they cannot challenge our decision.”

1972: Declaration of the UN Conference on the Human Environment

“to defend and improve the human environment for present and future generations has become an imperative goal.”



data and scientific knowledge. By leveraging initiatives such as the Data Strategy of the Secretary-General, the Futures Lab network, and the Strategic Foresight Network of the High-Level Committee on Programmes, the Envoy could systematically generate and act on insights about the future impact of today's actions.

The establishment of a scientific advisory mechanism, the regular production of a global risks report, and the development of strategic foresight capacities, such as intergenerational solidarity indices, are pivotal steps towards creating a comprehensive evidence base. This integrated approach could include the implementation of future impact assessments or “generational tests” for critical decisions impacting the environment, education, culture, technology, health, or sustainable development (*Our Common Agenda*, Policy Brief 1, 2023). Additional data on long-term demographic projections and the challenges posed by accelerated urbanization would ensure that policies are systematically “future-proofed,” incorporating an evidence-based understanding of long-term trends that short-term policy could not address. Current research is being conducted by the Simon Institute for Longterm Governance to define future-proofing and develop a framework that considers spatial, temporal, functional, and representational dimensions. The Envoy could champion these and other scientific methodologies, embedding a deeper understanding of ecological and technological thresholds into global governance. This approach ensures that the pursuit of progress does not come at the expense of the planet's health

and the well-being of future generations.

WHAT WILL BE THE LEGACY OF THE SPECIAL ENVOY INITIATIVE?

A Special Envoy for Future Generations could represent a major step towards ensuring that future populations are not only considered in today's policy decisions but also offered a meaningful (virtual) seat at the table: setting agendas, influencing policy, and holding those in power today accountable for the well-being of those who will inherit the Earth. The nature of the Envoy's scope means measuring its success will be a progressive task. By facilitating multilateral cooperation, institutionalizing long-term policy approaches, and promoting intergenerational equity, the SOTF can pave the way for a more sustainable and equitable world. However, this success is contingent upon the Envoy's ability to fulfill its mandate and deliver meaningful representation, along with the degree to which UN Member States are willing to establish national representatives of future generations. The Envoy must be equipped with the necessary resources and support from the international community, as well as some degree of authority to ensure Member State engagement and compliance. Without these, the initiative risks becoming a token gesture instead of realizing its potential as a transformative agent for change. The path to a more sustainable future hinges on our collective commitment to equipping the Envoy with the tools needed to effect real change. The potential exists, but the outcome depends on our collective resolve to make it a reality.

1997:

Declaration on the Responsibilities of the Present Generations Towards Future Generations

“Present generations have the responsibility of ensuring that the needs and interests of present and future generations are fully safeguarded.”

2020:

UN 75 Declaration on the commemoration of the 75th anniversary of the UN

“To strengthen coordination and global governance for the common future of present and coming generations.”

2015:

Paris Agreement and 2020 Agenda for Sustainable Development

“We will implement the Agenda for the full benefit of all, for today's generation and for future generations.”

2024:

UN Summit for the Future

SOURCE: *Our Common Agenda, Policy Brief 1: To Think and Act for Future Generations* (2023).

TRIALS, TRIBUNALS, & TRIBULATIONS: REFLECTIONS ON THE 125TH ANNIVERSARY OF THE FIRST HAGUE PEACE CONFERENCE



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This article kicks off a special section in this issue of *Mondial*, exploring proposals to advance international law, such as a Crimes Against Humanity Treaty, an International Anti-Corruption Court, and UNSC veto reform. We start by examining the origins of modern international legal structures and ways to strengthen them.

One-hundred and twenty-five years ago, the 1899 Hague Peace Conference gave the world the first formal statement of the laws of war and war crimes, in the modern sense. This singular event led to the corpus of secular international law and established the first international tribunal, the Permanent Court of Arbitration (PCA). The ambitious multilateral effort attempted what had heretofore been unimaginable: it began to impose order to the most devastating and anarchic human phenomenon, war. Above all, it aimed to achieve peace through justice and the rule of law. As a leading scholar has observed: “The Hague Convention was the first stepping-stone along that winding road that would bring the nations to ICC Headquarters a full century later.” (Eyffinger, *Friedrich Martens: A Founding Father of the Hague Tradition*, 2012, 25) This gave birth to a century of international law that would include the promulgation of hundreds of multilateral treaties (more than 600 registered with the UN) and the establishment of a number of additional courts and tribunals

to help ensure compliance with these legal instruments.

And yet, the twentieth century would go on to be the bloodiest in recorded history and the twenty-first has brought further internationalization of armed conflicts and proliferation in their number. For some, this unchecked violence is evidence that international law does not exist, or that if it does, the lack of implementation or enforcement mechanisms render it easily flouted and obsolete. However, we should not dismiss law and multilateralism too hastily.

To paraphrase a quotation often attributed to Mark Twain upon reading his own fallacious obituary, reports of the death of international law have been greatly exaggerated. In fact, as diplomacy falters or fails, violence escalates, and legal safeguards are violated in many situations, governments are turning more frequently to international courts and tribunals to address a wide variety of disputes and critical issues. And

international courts, although straining from their increased caseloads and high expectations, are responding by generally delivering – with some exceptions – sound and detailed decisions that have considerable and positive influence in dispute resolution and accountability for atrocities.

A direct lineage can be traced back from the unprecedented gathering in The Hague to current efforts to support the rule of law globally. As a member of the American delegation to the conference, Andrew Dickson White, said of its aspirations: “If the world is ever to have any soul, if it is ever to rise out of materialism, it will be by work such as this.” Today that work must and does continue.

THE SIGNIFICANCE OF THE 1899 CONFERENCE

Having commenced on May 18, the birthday of Czar Nicholas II, the Hague conference culminated on July 29, 1899, in the *Paleis Huis ten Bosch* with the signing of an array of treaties, declarations, and commitments that would form the bedrock of international humanitarian law – the law of war. Conference President Baron de Staal, head of the Russian delegation, enjoined colleagues that the undertaking “strive to attain the grand and noble object set before it ... namely, the maintenance of general peace and the reduction of excessive armaments.” Notable conference outcomes included the Convention respecting the Laws and Customs of War on Land; the Convention for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention; various declarations prohibiting certain forms of warfare, such as the use of asphyxiating gasses and expanding bullets; and the Convention for the Pacific Settlement of International Disputes, which led to the creation of the PCA.

Delegates at the first Hague Conference comprised a group of men representing 26 predominantly European countries, along with the United States and Mexico. Although she was barred from formally attending, Bertha von Suttner, a leader of the International Arbitration and Peace Association and

the first woman to be honored with the Nobel Peace Prize, participated actively in the conference preparations and side activity, including organizing a petition of eminent persons and hosting a salon across the street from the venue. In her diary of the conference, she reflected: “Gospels need to be distributed, preached and explained a long time until they get into the conscience of the people.”

When the Second Peace Conference was convened in 1907, she would be the only woman in attendance and used her interventions to criticize what she perceived as a pedantic focus on legal arcana and myopic failure to confront the threat of imminent hostilities in Europe. She presciently used her Nobel address to warn of the specter of war on the horizon. This dialectic between the peace and law communities continues today.

The 1899 Hague Peace Conference signaled the beginning of a transition from international relations governed by the Law of Force toward a system governed by the Rule (Force) of Law. The two centuries leading up to this historic negotiation were riddled by hundreds of armed conflicts that were a normal course of political action, according to General Carl von Clausewitz, a Prussian general and military theorist who exemplified the spirit of his time. War was not considered a failure of politics, but “a real political instrument, a continuation of political intercourse, a carrying out of the same by other means.”

The diplomats convening in The Hague had a different opinion of relations between States. The Brazilian delegate, Ruy Barbosa, observed: “Justice is the foundation of society, and its cornerstone is the resolution of disputes through reason and law, not through force” Friedrich Martens, Russian diplomat and legal scholar struck a galvanizing chord: “War is an ordeal by fire, and it is the duty of civilized nations to mitigate as far as possible its horrors.”

Martens was hailed in his time and his reputation lives on as



The delegates of the First Peace Conference (1899) pose on the steps of “Huis ten Bosch” Palace in The Hague. Credit via Wikimedia Commons.



Political Cartoon by JM Staniforth. As the first Hague Convention on peace convenes, a crowd listens to an Imperialist agitator who spreads words of aggression and argues that Britain should arm herself more. Credit: Public common, Library of Congress.

the “Soul of the Hague Peace Conference.” (Eyffinger 2012, 13) This renown derived chiefly from his advocacy to increase the practice of international arbitration, “his crusade for humanitarian concepts, epitomized in the famous ‘Martens Clause,’ and his pivotal role in creating ... ‘The Hague Tradition.’” (*Id*) At the founding of the League of Nations, Martens urged that the PCA’s jurisdiction be compulsory – a project that continues today with the International Court of Justice (ICJ).

Until a more complete code of the laws of war has been issued, the High Contracting Parties deem it expedient to declare that, in cases not included in the Regulations adopted by them, the inhabitants and the belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and the dictates of public conscience.

Martens Clause, 1899 Hague Conventions

Although it would subsequently be enshrined in the 1949 Geneva Conventions and 1977 Additional Protocols, the Martens Clause has been considered an “elusive gem of diplomacy.” Seen by some as a vague and empty promise or “diplomatic gimmick,” for others it represented a “historic juncture in the history of the discipline” of international law with a “veritable norm-creating character.” (*Id*, 25). In fact, Eyffinger argues, the clause was far from a gimmick “and only to a very limited extent a compromise ... [that] filled a vacuum between international humanitarian law and the arbitrariness of ‘victor’s law.’” (*Id*). The Clause has been utilized and noted in a number of ICJ cases, including the 1996 Advisory Opinion on the Legality of the Threat or Use

of Nuclear Weapons, during which civil society organizations delivered over six million ‘Declarations of Public Conscience’ to the Court based on the Martens Clause. The court took note and made a number of references to the Martens Clause in its judgment, including “*Finally, the Court points to the Martens Clause, whose continuing existence and applicability is not to be doubted, as an affirmation that the principles and rules of humanitarian law apply to nuclear weapons.*” (ICJ Advisory Opinion July 8, 1996. Paragraph 87)

CARRYING FORWARD THE LEGACY OF 1899

Today, the PCA has its own seat in The Peace Palace, down the road from the royal residence that housed the 1899 conference. It is joined there by the ICJ. The latter, building upon the jurisprudence and learning from the Permanent Court of International Justice (PCIJ, 1922), was founded nearly a half century later as the principal organ of the UN and as the expression of the UN Charter’s aspiration of a standing judicial mechanism recognized by all States as a legitimate means for the pacific resolution of disputes. It has never been busier. It is also profoundly misunderstood by many, as is the International Criminal Court (ICC), which became operational in 2002 with a mission to end impunity for individual perpetrators of the gravest crimes.

The ICJ has proven to be one of the most effective organs of the UN. Since its establishment in 1945, the Court has considered 195 cases. Today, it is seized of an unprecedented number (25) and diverse array, including treaty-based questions of genocide and atrocities, territorial and border disagreements, and requests for advisory opinions on such novel issues as the obligations of States with respect to climate change. According to leading judges on the Court, such as

former ICJ President Joan Donoghue (2010-2024, USA) and former ICJ Vice President C.G. Weeramantry (1990-1999, Sri Lanka), an overwhelming majority of its decisions have been accepted by all parties and implemented.

It is noteworthy that many of the successful cases have involved small countries winning in the court against much more powerful States. This generally has been followed by unsuccessful parties acceding to and implementing the Court's decision. Examples of adherence include territorial disputes, such as with *Chad v Libya* (1994), where the ICJ settled a longstanding and often bloody dispute between the two countries over ownership of the resource-rich Aouzou Strip on their contested border. The Court ruled in Chad's favour. Libya accepted the decision, withdrew its forces and signed a peace agreement with Chad that still holds today.

Even when the losing party has initially rejected the Court's decision, as with *Nicaragua v. US* (1986), where the United States abjured a judgment finding its financing of *Contras* was an illegal violation of state sovereignty, the ICJ decision has been a powerful tool for domestic advocacy and legal recourse. In that instance, elevated public attention, coupled with strategic advocacy and litigation by citizens from the World Federalist Movement, can be traced to a policy about face. Even refusal to participate has not been an insurmountable barrier to major reform, as with *New Zealand v. France* (1974), where the Court addressed the French nuclear testing program in the Pacific. Although France did not take part in the proceedings, the decision led to the end of its atmospheric testing program and permanent closure of test sites the following year.

THE NEXT EVOLUTIONARY PHASE?

International law can – indeed must – evolve for the 21st century beyond the state-centric 19th and 20th centuries to requirements of an evolving world order, including transnational, environmental considerations. And there are signs that evolutionary leaps are indeed taking place (See C.G. Weeramantry, *Universalizing International Law*, Marinus Nijhoff Publishers 2004).

Moreover, one need not be a singular figure like Bertha von Suttner or Friedrich Martens to advance international law. For example, grassroots activism and pressure on States by non-governmental actors like the [Commission of Small Island States on Climate Change in International Law](#) and young leaders from Pacific Island States led to a unanimous UNGA Resolution requesting that the ICJ deliver an [Advisory Opinion on the Obligations of States with Respect to Climate Change](#), of which the Court is seized as of this article's writing. The International Tribunal on the Law of the Sea, a little discussed but immensely powerful tool that sits in Hamburg, Germany, recently [reached its unanimous conclusions](#) on similar responsibility in a maritime setting, finding that "States Parties to the [UN Convention on the

Law of the Sea (UNCLOS)] have specific obligations under article 194 of UNCLOS to take all necessary measures to prevent, reduce, and control marine pollution." The ICC commissioned an [expert review](#) to define the crime of ecocide and help determine whether it should be an independent crime under the Rome Statute. The ICC's current Prosecutor also has [committed](#) to fully utilizing existing provisions for environmental crimes as the basis for prosecution, including launching a public consultation.

Although these are positive examples of growth in the international global justice system, much work remains. Despite the World Court's prolific output and extensive mandate, the ICJ faces numerous challenges in realizing its full potential effectiveness. First among these are the limitations on its jurisdiction. In recent years, some States have galvanized to promote the universality of the ICJ. However, these efforts have not cohered strategically with the support of a multi-stakeholder coalition. That is changing with the establishment of Legal Alternatives to War (LAW not War), a global civil society-led campaign to increase the Court's ability to effectively fulfill its mandate as the world's principal judicial organ for peacefully resolving conflicts between states, ensuring justice and upholding the rule of law.

CONCLUSION

Where international courts and tribunals have been characterized as bugaboos to be mistrusted – or worse, sanctioned – it is imperative to understand their role with the broader evolution of international law. International law does not function in hermetic isolation but is a part of society. Accordingly, it should reflect society's evolution.

Like all human-made institutions, international courts and tribunals are imperfect. This is why it is critical that they have the capacity to realize their indispensable mandates and that they adapt to contemporary realities. Without full support for these bodies, humanity risks regression into a Hobbesian state. In 1899, the official Russian declaration statement held that "the final object of international law is to regulate the mutual relations of States, not only by preventing conflicts which may arise between them, but by organizing justice in such a manner as to render these conflicts impossible."

Having moved at the Hague Peace Conference from the prevailing 19th century wisdom of "might makes right" advanced by General von Clausewitz and his ilk to the state-centric approach of the 20th century, another key change is imperative to meet 21st century requirements of an evolving world order.



Learn more about LAW not War and the IMPACT Coalition on Just Institutions and the ICJ.

THE FORGOTTEN CRIME: FORGING A CONVENTION FOR CRIMES AGAINST HUMANITY IN 2024



Leila Sadat

Leila Sadat was the Special Adviser on Crimes Against Humanity to the International Criminal Court Prosecutor from 2013-2023 and is the Director and founder of the Crimes Against Humanity Initiative. She is a member of the CGS National Advisory Council.

The international legal order is awash with treaty mechanisms – for terrorism, corruption, and even cutting submarine cables – that offer “horizontal systems” for addressing crime. Shockingly, no equivalent system exists for crimes against humanity, leaving a major legal and impunity gap. In 2024, that could change with the culmination of years of work by civil society, legal experts, supportive Member States, and UN officials, notably including the UN International Law Commission’s Special Rapporteur on Crimes Against Humanity, Sean D. Murphy. It is imperative that these efforts come to fruition to achieve a system of accountability capable of confronting the gravest crimes.

BACKGROUND ON CRIMES AGAINST HUMANITY

The history of crimes against humanity can be traced back to the 19th century, but they became prominent in 1945 during the Nuremberg trials, when Nazis were prosecuted for their crimes during the Holocaust. Since then, there has been piecemeal codification of crimes against humanity through several international treaties. The most prominent of these is the Genocide Convention, which is often what we think about when we think about mass atrocity.

The contemporary definition of crimes against humanity comes from the 1998 Rome Statute that established the International Criminal Court (ICC). Having participated in the Rome Conference, I witnessed the miracle that gave the world a court that is permanent and operates in real-time. The ICC’s definition of crimes against humanity was premised on customary international law, taking into account the precedents of the *ad hoc* international criminal tribunals, including the Nuremberg Tribunal and the UN Tribunals

for the former Yugoslavia and Rwanda. It was challenging to develop it during the Rome Conference, because no treaty on crimes against humanity was yet in force, unlike genocide and war crimes.

Crimes against humanity are especially critical to the ICC’s capacity for prevention, creating a mechanism to halt what I call “atrocities cascades” of increasingly severe violence. Often, a situation that begins with human rights violations that can develop into a case of crimes against humanity, then war crimes, and ultimately genocide (sometimes all three happen at the same time). Because the ICC works in real-time, it can hold perpetrators accountable for human rights violations that escalate up to a certain level without waiting for armed conflict to break out. Accordingly, crimes against humanity have accounted for 30 percent of ICC cases, as opposed to the *ad hoc* tribunals, where independent charges for crimes against humanity were rare.

If the ICC has the means to effectively investigate and prosecute crimes against humanity, one might ask why a stand-alone treaty is necessary.

THE IMPORTANCE OF A CRIMES AGAINST HUMANITY TREATY

The ICC has jurisdiction over *individual perpetrators* of the crimes under its jurisdiction: genocide, war crimes, crimes against humanity, and the Crime of Aggression. Conversely, human rights treaties and other multilateral instruments governing international crimes concern State conduct. They provide a mechanism for victims to achieve justice against government actors for violations of their legal obligations.

The ICC also takes very few cases, leaving most mass atrocities to be addressed by national systems.

A Crimes Against Humanity Treaty would require States Parties to take affirmative action to prevent and punish crimes against humanity – obligations that are not imposed by existing legal regimes. This would entail domesticating crimes against humanity in national law and taking steps to prosecute perpetrators in national courts. Such steps would stimulate and support the national-level pursuit of atrocity crimes.

The treaty could also include a monitoring body of some kind that would help with preventing crimes against humanity and with State capacity building. The dispute settlement provisions of the treaty could vest jurisdiction in the International Court of Justice relating to disputes between States regarding the interpretation, application, or fulfillment of the treaty.

PROGRESS TOWARD A CRIMES AGAINST HUMANITY TREATY

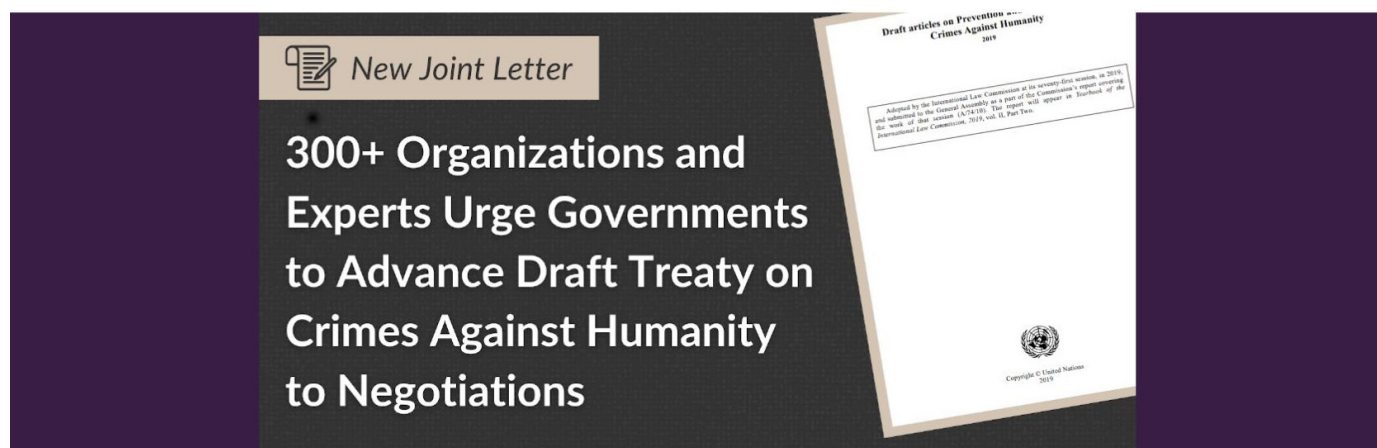
In 2008, I launched the [Crimes Against Humanity Initiative](#) to put the need for a new treaty on crimes against humanity back on the global map. The Initiative is directed by a Steering Committee of global experts, and for the next three years, we consulted more than 250 experts worldwide on the need for and content of a new treaty. We published the world's first model treaty on crimes against humanity in 2010, which is now available in eight languages. This provided the necessary academic work and momentum for the ILC to take up the topic, and, over a six year period, the Commission developed a set of Draft Articles for a new treaty that was submitted to the UN General Assembly's Sixth (Legal) Committee in 2019. When first submitted to the Sixth Committee, the ILC's 2019 draft was greeted with widespread support. Nevertheless, the opposition of a small but powerful

minority prevented its immediate adoption because the Sixth Committee works on the basis of consensus (meaning that any opposition can prevent a project from moving forward).

For three years, the ILC's draft stagnated in the Sixth Committee but in 2022, a cross-regional group of States broke the stalemate by submitting a Resolution that would move negotiations forward. After much negotiation, Resolution 77/249 was adopted that provided a two-year process for the Sixth Committee to meet in "resumed session" to discuss the substance of the [Draft Articles](#) and the ILC's recommendation that they be the basis for the negotiation of a new treaty.

Under the auspices of [Resolution 77/249](#), the Sixth Committee has been meeting for the past two years and will decide whether to move to negotiations in October 2024. I am cautiously optimistic about the likely outcome of negotiations this fall, as, due to the hard work of treaty proponents over the past two years, it seemed evident during the April 2024 resumed session that States had not only absorbed the text more fully but have begun to develop positions regarding its provisions and can see the utility and importance of this new convention. Civil society has also moved into high gear, and in 2024, a "Joint Statement in Support of Progress toward a Crimes Against Humanity Treaty" was issued by more than 400 organizations and individuals from around the world.

Overall, more than 70 States urged the adoption of a new treaty in April. Including interventions in the Sixth Committee in 2022 and 2023, this brings the total number of positive States over the past two years to 120, with nine remaining neutral. Notably, however, because Resolution 77/249 only provided a basis to discuss the Draft Articles not to *negotiate* a common text, no formal negotiations will occur until States decide whether to do so. In October 2024, States will decide whether to proceed to formal negotiations on the document at the Sixth Committee Session.



Credit: FIDH

WHAT COMES NEXT

Even after two years of comprehensive discussions, the significant support expressed for the new treaty is not enough to move it to negotiations under the framework provided by Resolution 77/249, although it is a promising indicator for the future. To move forward will require skillful leadership to overcome the objections of a handful of States that have successfully used the Sixth Committee's consensus tradition to block the treaty's advancement.

One source of this support is a growing consensus that the treaty might gently amend the Rome Statute definition of crimes against humanity to take into account developments over the past 25 years. Proposals from civil society have included adding gender apartheid and forced marriage as new crimes. States also advanced a variety of proposals. Sierra Leone and the African Group support the addition of the slave trade. Nigeria has proposed to include colonialism, and Rwanda suggested adding starvation of a civilian population. There also have been proposals to include ecocide, unilateral coercive measures against civilians, terror-related acts, use of nuclear weapons, exploitation of natural resources, and crimes against Indigenous peoples. Finally, suggestions were made to adjust the definition of persecution. The other source of this support, is, alas, the sorry state of the world today, where crimes against humanity are frequently committed.

In a time of rising authoritarianism and anti-liberal movements, advocacy for a new international treaty can be an uphill battle. Nonetheless, at a difficult time for international justice, with multiple courts seized of atrocity cases, it is incredibly important. Those of us who are engaged in this are determined to put an end to impunity for the perpetrators of these crimes and thus contribute to the prevention of crimes against humanity. Given the significant number of conflicts in the world, and the desperate need of victims for justice, not to mention the imperative of prevention, UN Member States should press hard to advance this critically important new treaty to negotiations in October.

HOW YOU CAN TAKE ACTION

The Crimes Against Humanity Initiative Fund, created in 2008, has supported research, hiring staff, travel, convening meetings, producing promotional materials – including the film *Never Again* – and other activities related to the work of the Crimes Against Humanity Initiative and the Whitney R. Harris World Law Institute. To date, more than 400 organizations and individuals have signed a “Joint Statement of Support for Progress Toward a Crimes Against Humanity Treaty” mobilized by the Global Justice Center.



The documentary *Never Again: Forging a Convention for Crimes Against Humanity* (directed by Leila Nadya Sadat, 2017) produced by presents a compelling case for a stand alone treaty. Visit the Initiative's website to attend an upcoming screening or book a screening.

Portions of this article have previously been published in the blogs of the University of Chicago, Washington University of St. Louis, Yale Law School, and Just Security.

Learn more about the Crimes Against Humanity initiative at the dedicated microsite hosted by the Global Justice Center.



CHALLENGES TO ILLEGAL VETOES: WFM-CANADA'S CALL FOR JUSTICE THROUGH INTERNATIONAL LAW



Bill Pearce

Bill Pearce was called to the bar in 1968. Since then he has had a varied career as a barrister. He is currently retired and living in Victoria, while continuing to serve as President of the World Federalist Movement – Canada (WFM-Canada) Victoria branch.

The veto power of the United Nations Security Council (UNSC) is arguably among the most contentious aspects of the UN system, reflecting a power dynamic in place at the Charter's drafting in 1945, with great powers victorious in the Second World War enshrined as the five permanent members or "P5." Discontent about the inadequacy and lack of equability of the current system has waged for decades. Today, increasingly, legal scholarship is meeting advocacy toward veto reform. This article examines one case study of an initiative to delimit the use of the veto based on sound legal reasoning coupled with strategic domestic advocacy. The proposal is to seek an Advisory Opinion (AO) of the International Court of Justice ([ICJ](#)) on the limitations of the veto power in cases of alleged and suspected atrocity crimes under international law.

THE PROPOSAL

World Federalist Movement – Canada ([WFM-Canada](#)) has taken up a leadership role in support of a project to request the Government of Canada to call on the UN General Assembly (UNGA) to seek an AO from the ICJ. The purpose is to affirm the existence under international law of limitations on the use of the veto for UNGA draft resolutions.

VETO POWER: DEBATES & HISTORICAL USAGE

The veto is often exercised out of self-interest by a permanent member of the UNSC. It has previously been deployed even in situations where there are reasonable grounds to believe a state or non-state actor is committing the crime of genocide, crimes against humanity, war crimes, and the Crime of

Aggression. The WFM-Canada proposal was sparked by the Russian Federation's veto on February 25, 2022, of the UNSC draft resolution ([SC/14808: US, Albania](#)). Made under Chapter VI of the Charter, the resolution was submitted by Albania and the United States and garnered support from 11 UNSC members. The draft included a call for the immediate cessation of Russia's use of force against, and withdrawal of its forces from, Ukraine as well as granting immediate access for the delivery of humanitarian relief.

Peace and security resolutions of the UNSC are frequently vetoed by the P5 when they, or an ally, are in breach of peremptory norms. Examples include Iraq, Syria, Georgia, Crimea, eastern Ukraine in 2014, and Myanmar. Trust in, and respect for, the UN has been diminished by each abuse of the veto privilege.

In a noteworthy development, the UNGA held their first ever formal debate on the veto in April 2023. France proposed that the permanent members voluntarily and collectively suspend the use of the veto in cases of mass atrocities. The US delegate also made remarks that were encouraging. He said that the P5 must exercise their veto responsibly, stressing that any permanent member that uses this right to defend its own act of Aggression should be held accountable and that the United States will refrain from the use of the veto "except in rare, extraordinary situations." However in reality, since 1970, the US has used the veto 83 times, far more than any other permanent member.

In a debate on peremptory norms that occurred in the General Assembly on March 9, 2022, it appeared that most

countries had no difficulty accepting the proposition that resolutions and other acts of the UN cannot conflict with peremptory norms of general international law (*jus cogens*). Austria put it best when it referred to an earlier report it had made, which concluded that “**the Security Council does not operate free of legal constraint, which means that the Council’s powers are subject to the Charter of the UN and norms of *jus cogens*.**”

The AO process of the ICJ offers a means for pacific means to resolve this issue, not led by States with vested interests where diplomacy has failed, but by a third-party judicial body with the mandate, under the UN Charter, to answer such questions. An AO is not a contentious dispute but a request for legal clarity on an issue – ideally, before the situation escalates. Current AOs request include a unanimous referral by the UNGA to consider the *Obligations of States with Regard to Climate Change*, as well as AOs concerning labor protections and diplomatic protections. The ICJ recently released a seminal AO on the *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including in East Jerusalem*.

RATIONALE

This WFM-Canada proposal is not a call for a reform of the [UN Charter](#) *per se*; rather it asks the government of a Member State – in this case, Canada – to submit a request to the ICJ for an AO. If the use of the veto is confirmed by the court as illegal – for example, when a permanent member has committed the Crime of Aggression – the opinion would confirm the state of international law, whether grounded in treaties, customary law, or peremptory/[jus cogens](#) norms, as discussed below.

The General Assembly is a body whose good efforts are frequently thwarted. Unlike the Security Council, the UNGA does not have the authority to compel member states to enforce UN resolutions. The frequent, often well-publicized defeat of UNGA resolution drafts by the Security Council enables states to violate international law with an increased measure of impunity. Since the formation of the UN in 1945, the P5 veto has been a strategic tool used by competing global interests. The proposal supported by WFM-Canada would challenge what we believe to be ‘illegal’ vetoes in the Security Council. By this, we seek to address and correct a glaring democratic deficit at the UN.

EXPERTISE WITHIN CORRIDORS

Among numerous supporting advisors to the WFM-Canada proposal is Jennifer Trahan, a Clinical Professor and Director of the Concentration in International Law and Human Rights at the NYU Center for Global Affairs. Trahan is the author of the award-winning book *Existing Legal Limits to Security Council Veto Power in the Face of Atrocity Crimes*. Trahan presents three main arguments on the illegality of

veto resolutions. The first relates to peremptory norms, which include genocide, crimes against humanity, war crimes, and the Crime of Aggression. She concludes that a P5 veto cast in the face of violations of these peremptory norms, or where there is a serious risk of these crimes occurring: “(a) is at minimum inconsistent with the respect due to these highest level norms; (b) more aggressively formulated, may facilitate the commission of the crimes, thereby violating [jus cogens](#); and, (c) also violates what has been identified in its *Articles on the Responsibility of States for Internationally Wrongful Acts* (ARSIWA) as the duty of **all states** (all bold text author’s emphasis) to ‘cooperate to bring to an end through lawful means any serious breach of an obligation arising under a peremptory norm of international law’ ([ARSIWA Art. 41.1](#))” by the International Law Commission, the body of experts established and elected by the UNGA to codify international law.

Importantly, Art. 41.2 of ARSIWA requires states not to “recognize as lawful a situation created by a serious breach of a peremptory norm of international law, **nor render aid or assistance in maintaining that situation.**” As an example: Israel’s war on Gaza following the deadly incursion on October 7, 2023, by *Hamas* and other fighters into Israel. If the allegations are found to have merit and Israel’s bombardment is indiscriminately killing non-combatant Palestinians in contravention of the laws of war, then the United States, having been made aware, would be obligated under law to cease the provision of lethal aid to Israel. This ICJ AO could act as an effective deterrent, and as another tool in the application and enforcement of international law to hold perpetrators of the worst crimes in war legally responsible.

Similarly, if Canada is supplying arms or parts to Israel which assists Israel in the commission of war crimes, it too would be under obligation to immediately cease the export of such materials. The Netherlands Court of Appeal on [February 12, 2024](#), enjoined the Netherlands from exporting F-35 parts to Israel on the basis that it was “not plausible that this destruction was inflicted exclusively on military targets or constituted legitimate ‘collateral damage’” and that there was a “clear risk that the F-35 parts to be exported will be used in committing serious violations of international law.”

Jennifer Trahan’s second argument is based upon the UN’s “Purposes and Principles” found in Articles 1 and 2 of the UN Charter. Article 24(1) provides that one of the purposes of the UN is “to maintain international peace and security and to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace.” Another Purpose is to act in conformity with international law. Article 2 further includes a provision that requires members to act in “good faith” in fulfilling their assumed obligations.

PROPOSAL ARGUMENTS

Firstly, to commit, or to fail to act to prevent, an act of Aggression constitutes a violation of a permanent member's obligations under the UN Charter. A UNSC permanent member that uses the veto to block a resolution drafted to compel an end to its illegal behavior, is thereby facilitating a continuance of its own breach of the peace. Using the veto as a shield would be deemed inconsistent with the Purposes and Principles of the Charter and place the veto option beyond reach. As Professor Trahan asserts, permanent member status was created under the Charter, **“so they cannot have been granted power to go beyond the limits of the Charter or the power granted to the Security Council as a whole; If they do, their actions would be *ultra vires*,”** or beyond their legal authority. This principle ensures that even the most powerful members of the Security Council are bound by the same rules and limitations as the rest of the international community, maintaining a balance of power and accountability by rendering such vetoes null and void under international law.

The third Trahan argument relates to treaty obligations under the Genocide Convention and the Geneva Conventions. For example, where genocide or a risk of genocide is occurring, contracting parties to the Genocide Convention, of which Canada is a member, must **“undertake to prevent and to punish”** genocide. The **“prevent”** obligation recognizes the duty to act can arise before the conduct under question becomes genocide. It might be argued therefore, that when a Member State knows, or ought to know, that there is a serious risk of a situation constituting or setting the stage for genocide, the duty to act exists then in that moment. If a permanent member commits or abets genocide, they violate treaty obligations, potentially nullifying their veto rights. This means past vetoes used to support ongoing war crimes by an ally could be challenged, arguing that the permanent member abused its veto to knowingly facilitate these crimes.

The WFM-Canada proposal centers on Canada's obligations under the Genocide Conventions, and on Canada's [joint declaration](#) with the Netherlands to the ICJ on the allegation of Russian genocide against Ukraine. Prepared by Canada's Ministry of Justice on behalf of the Ministry of Global Affairs, the declaration insists that the “state's obligation to prevent and the corresponding duty to act, arise at the instant the state learns of, or should normally have learned of, the existence of a **serious risk** that genocide will be committed”, and, “an essential first step before taking action in fulfillment of Article I is the assessment of whether there is a genocide or a **serious risk** of genocide ... This assessment should be based on all available information, in particular, from independent and credible sources, and should be guided by the definition of genocide, as outlined in Article II of the Genocide Convention.”

Common Article 1 of the 1949 Geneva Conventions is today generally seen as “quasi-constitutional.” It requires Parties to

those instruments to “respect and to **ensure respect** for the present Convention **in all circumstances.**” It is premised on the doctrine of *erga omnes*, i.e., the obligation of states towards the international community as a whole. Thus, a permanent Member State that vetoes a resolution designed to end a breach of the Geneva Conventions or the Genocide Conventions, furthers the continuance of the breach(es) of those Conventions through this act.

QUESTIONS FOR THE ICJ ADVISORY OPINION

1. Does existing international law contain limitations on the use of the veto power by permanent members of the UN Security Council in situations where there is reasonable grounds to suspect ongoing genocide, crimes against humanity, war crimes, and/or the Crime of Aggression?

2. If the court does identify situations which place limits on the use of the veto power, would that mean that Security Council members would be at liberty to treat vetoes made in such situations as being null and void?

Framing the questions generally affords the advantage of not having to rely on submitted documentary evidence or oral testimony. The hoped-for result is that the hearing can be conducted in an expeditious and relatively inexpensive fashion. This proposal anticipates the ICJ will be prepared to consider these questions on non-contested facts, and that its answers will have the effect of curtailing the current misuse of the veto power. This shift would significantly enhance the democratic integrity and effectiveness of, and restore a large measure of faith in, the UN.

The proposal recognizes there is a general perception globally, that the UNSC has been paralyzed from exercising its function due to the veto, and that an initiative aimed at curtailing the misuse of the veto would likely be well-received by the Court. There was a belief at its founding, that the five permanent members' right to veto would be curtailed over time. That time has come.



WFM-Canada is spearheading an initiative to request an ICJ Advisory Opinion through the UNGA, to call out the illegal use of the veto in the UNSC. Join us in urging the Canadian government to lead this effort for a more accountable UN.

THE PROGRESSING PROPOSAL FOR AN INTERNATIONAL ANTI-CORRUPTION COURT



Justice Richard Goldstone

Justice Goldstone is a former Justice of the Constitutional Court of South Africa and the first Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda. He is the Vice Chair of Integrity Initiatives International and the Chair of the International Anti-Corruption Court Treaty Committee.

Grand corruption – the abuse of public office for private gain by a nation’s leaders (kleptocrats) – is not a victimless crime. It is a major barrier to meeting the United Nations (UN) Sustainable Development Goals (SDGs), responding effectively to pandemics, fighting climate change, promoting democracy and human rights, establishing international peace and security, and securing a more just, rules-based global order. In developing countries, over ten times more money is lost to illicit financial flows than is received in foreign aid.

At present, there is no international institution to hold kleptocrats accountable for their crimes of corruption when the countries they rule are unwilling or unable to do so. An International Anti-Corruption Court (IACC) would, therefore, fill the crucial enforcement gap in the international framework for combating grand corruption. It would constitute a fair and effective forum for the prosecution and punishment of kleptocrats and their collaborators; deter others tempted to emulate their example; and recover, repatriate, and repurpose ill-gotten gains for the victims of grand corruption.

In addition, as then UN High Commissioner for Human Rights Navi Pillay explained, “Corruption kills. The money stolen through corruption every year is enough to feed the world’s hungry 80 times over ... Corruption denies them their right to food and, in some cases, their right to life.” The COVID-19 pandemic makes this even more clear. It has, predictably, proven to be a bonanza for kleptocrats because trillions of dollars have been disbursed without even the usual, frequently ineffective safeguards. Grand corruption also contributes to climate change and is a major impediment to ameliorating it. For example, kleptocrats profit greatly from the illicit forestry trade, which is estimated to be worth

\$51–\$152 billion annually. Unless something significant is done to deter grand corruption, a large percentage of the billions in aid intended to diminish climate change will be misappropriated by kleptocrats and their collaborators. The primary recipients of government climate-related development aid are countries that are perceived as among the most corrupt in the world. In addition, the risk of corruption will discourage private investment from being made in the countries that need it most. This will particularly injure the poor and powerless, who are disproportionately harmed by climate change and increasingly forced to migrate because of it.

Any effort to alleviate the world’s refugee crises must, therefore, address a fundamental cause of forced migration: grand corruption. In addition, citizens’ indignation at grand corruption has destabilized many countries and, as a result, created grave dangers for international peace and security. Grand corruption is also antithetical to democracy. Kleptocrats regularly repress independent journalists and civil society organizations with the potential to expose their criminal conduct. The individuals, corporations, and criminal syndicates that bribe kleptocrats also illegally finance campaigns in elections that are neither free nor fair. Because grand corruption pollutes the international financial system and has other severe international consequences, it is not just a domestic problem for individual countries to address alone. Rather, it is a global problem that requires a global solution.

Almost all of the 190 parties to the UN Convention against Corruption (UNCAC) have enacted the required statutes criminalizing bribery, money laundering, and misappropriation of national resources. The Vienna Convention on the Law of Treaties requires that each country make a good-faith effort to enforce those laws.

However, some states that are party to the UNCAC are governed by kleptocrats who enjoy impunity in the countries they rule because they control the police, prosecutors, and courts, which are often also corrupt themselves. Those kleptocrats will not permit honest, effective investigation of themselves or their criminal collaborators. Statutes such as the US Foreign Corrupt Practices Act (FCPA) and its 43 counterparts enacted in countries that are party to the Organisation for Economic Co-operation and Development (OECD) Convention against Bribery are inadequate to erode the impunity kleptocrats enjoy. Those statutes permit the prosecution of individuals and organizations that pay bribes but not of the public officials who demand or accept them. In addition, except in the United States and, recently, the United Kingdom, Switzerland, and Israel, those statutes are rarely, if ever, enforced. The absence of risk of punishment, particularly imprisonment, contributes greatly to the pervasiveness and persistence of grand corruption.

ELEMENTS OF THE INTERNATIONAL ANTI-CORRUPTION COURT PROPOSAL

Because grand corruption has international consequences and flourishes in many countries in meaningful measure due to the lack of enforcement of domestic criminal laws, the IACC is justified and necessary. Creation of the IACC was first proposed in 2014. It has been, and remains, an evolving concept. Some details concerning the IACC must be further developed. However, the fundamental features of the IACC as currently conceived include the following.

OFFICIALS SUBJECT TO PROSECUTION IN THE IACC

The IACC would have the authority to prosecute Heads of State or Government, certain other high-level public officials (such as those appointed by a Head of State or Government), and anyone who knowingly and intentionally assists one or more of these individuals in the commission of a crime within the IACC's jurisdiction. Therefore, the IACC would, for example, have the authority to prosecute private parties who pay bribes or who assist in laundering the proceeds of crimes of corruption committed by public officials whom the court has the authority to prosecute. Heads of State or Government, and other officials within the jurisdiction of the court, would not have immunity from prosecution in the IACC while in, or after holding, office.

CRIMES SUBJECT TO PROSECUTION IN THE IACC

The IACC would have the authority to enforce the laws required by the UNCAC, particularly those criminalizing bribery of public officials, embezzlement of public funds, misappropriation of public property, money laundering, and obstruction of justice. The IACC would not require the creation of any new norms. Rather, it would provide a forum for the enforcement of existing obligations that are

codified in the criminal laws of virtually every country but not enforced against kleptocrats and their collaborators in the countries that the kleptocrats rule.

AUTHORITY TO PROSECUTE NATIONALS OF NON-MEMBER STATES

The IACC would have jurisdiction to prosecute nationals of Member States and foreign nationals who commit all or elements of a crime within the jurisdiction of the IACC in the territory of a member state. Therefore, a kleptocrat who, for example, accepts a bribe in a state that is not a member of the IACC and uses the banking system of a member state to transfer or hide the proceeds of that crime in violation of the member state's domestic laws could be prosecuted for money laundering in the IACC if the member state were unable or unwilling to prosecute. This is important because kleptocrats routinely conspire with enablers to use international financial systems to launder the proceeds of their corrupt conduct and to relocate them as assets in attractive foreign destinations, while attempting to mask their beneficial ownership of those assets. Crimes such as conspiracy and money laundering are continuing offenses, elements of which may be committed in part in several jurisdictions. If an official of a non-Member State or a co-conspirator launders money in a Member State, he or she would be subject to prosecution in that member state or, under the principle of complementarity, subject to prosecution in the IACC if the member state itself were unable or unwilling to prosecute.

COMPLEMENTARITY

The IACC would be a court of last resort. Operating on the principle of complementarity, it would investigate or prosecute only if a member state itself were unwilling or unable to do so. Like the ICC, the IACC would consider, for example, whether the member state is already investigating or prosecuting the matter; if so, whether those actions constitute a good-faith effort or a pretext to protect a possible criminal from being held accountable. In addition to the factors in Article 17 of the Rome Statute, in deciding whether a member state is unwilling or unable to carry out an investigation or prosecution, the IACC might also consider whether its national judiciary generally operates honestly rather than corruptly. An IACC operating under the principle of complementarity would give many countries an incentive to improve their own capacity and efforts to prosecute corruption. The IACC will employ investigators experienced in conducting complicated financial investigations; work with national and multinational agencies that do so, such as the International Anti-Corruption Coordination Centre; and also work with sophisticated private investigators who are often employed by state agencies to trace looted assets. In addition, the IACC will employ prosecutors with experience in trying complicated cases concerning financial crimes, and it will be comprised of judges with substantial experience in presiding in such cases.

THE IMPORTANCE OF THE IACC FOR VICTIMS OF GRAND CORRUPTION

Kleptocrats rob the countries they rule of vast sums that are needed for the health and welfare of their citizens. Corruption is, therefore, a major obstacle to achieving the 2030 SDGs. The criminal prosecution of kleptocrats in the IACC would result in the recovery and return or repurposing of stolen assets. The sentence for the conviction of a kleptocrat in the IACC could include both a term of imprisonment and an order of restitution or disgorgement of illicit assets for the benefit of victims. The capacity of the IACC to recover the proceeds of grand corruption would be magnified if the court were empowered to decide civil cases brought by private whistleblowers.

Perhaps the greatest value that the IACC would provide to victims of grand corruption would be creating the credible threat that kleptocrats will be prosecuted and punished, thus deterring them from committing crimes that are difficult to address and redress after they occur. Evidence indicates that prosecutions of human rights abuses in the ICC, as well as in domestic courts, are deterring violations of human rights. ICC investigations have, for example, catalyzed reforms in the Democratic Republic of the Congo, Sudan, Guinea, Georgia, and Colombia. The deterrent effect of an International Anti-Corruption Court on grand corruption should be even greater than the ICC's impact on violations of human rights. If the threat of prosecution in the IACC

does not deter a kleptocrat, successful prosecution there would likely result in a sentence of imprisonment and probably, therefore, the official's removal from office. This would provide the best antidote to grand corruption: the opportunity for the democratic process to replace kleptocrats with leaders dedicated to serving their citizens rather than enriching themselves.

THE CAMPAIGN TO CREATE THE IACC

The most common criticism of the IACC idea was once that it would not be politically feasible to create. That criticism has been muted in recent years. As a result of advocacy by Integrity Initiatives International and its global partners, in the past few years, the governments of the Netherlands, Canada, Colombia, Nigeria, Ecuador, Moldova, and the Democratic Republic of the Congo have all publicly backed creation of the court. The current UK government has committed to championing the IACC proposal and more countries are becoming interested in the proposal.

The [global campaign for the IACC](#) is driven by over 100 civil society organizations, predominantly from Africa, and nearly 350 world leaders, including more than 50 former Heads of State and Government and over 30 Nobel laureates. An [expert group](#) of more than 70 international judges, lawyers, scholars, and anti-corruption specialists are working on a draft treaty to establish the court.



LEARN MORE ABOUT THE IACC CAMPAIGN

"Grand corruption is clearly a transnational issue that no one country can cope with alone. That is why a new multilateral body like the IACC is so necessary to combat it."

– Justice Richard Goldstone, Financial Times

This article is adapted from a longer report of the same name published by the American Academy of Arts and Sciences and written by Mark L. Wolf, Richard Goldstone, and Robert I. Rotberg, the chair and vice chairs, respectively, of Integrity Initiatives International, in 2022. It has been updated to reflect intervening developments.

IACC Steps to Ratification



1. Declaration

First released in June 2021, the Declaration calling for the creation of an IACC has been signed by more than 300 world leaders from over 80 countries, including more than 45 former presidents and prime ministers and over 30 Nobel laureates.

2. International Steering Committee

Formed in July 2021, the International Steering Committee is building and leading the civil society coalition behind the campaign and contributes to strategic outreach to governments around the world.

3. Treaty Committee & Scholarly Review

Launched in August 2022, the IACC Treaty Committee – composed of international judges, international prosecutors, and other leading experts in International law is working on the core principles for a draft of the IACC treaty.

4. Broad and Inclusive Consultation

Once the draft IACC Treaty is complete, Integrity Initiatives International and its partners will organize a series of virtual consultations to present the draft and receive feedback from interested civil society around the world.

5. Negotiation

Ultimately, governments will need to negotiate and sign a treaty establishing the IACC. During this phase, Integrity Initiatives International and the campaign for the IACC will monitor negotiations and work to ensure that civil society has a voice in the negotiations.

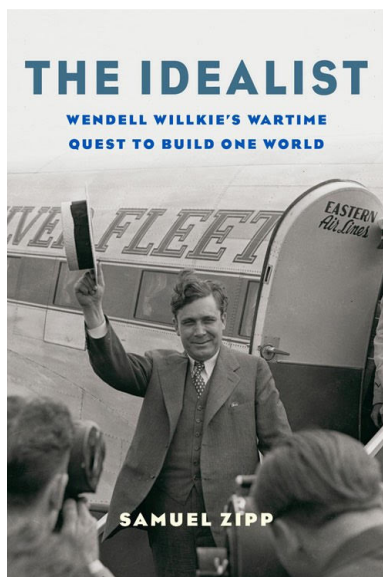
6. Ratification

After the IACC treaty has been signed, the campaign for the IACC will continue outreach country-by-country to ensure that states ratify the treaty. Once the treaty comes into force, the campaign for the IACC will continue to monitor the implementation of the Court.

THE IDEALIST: WENDELL WILLKIE'S WARTIME QUEST TO BUILD ONE WORLD

Recommended by Dr. Lawrence S. Wittner

Professor Emeritus, State University of New York (SUNY) at Albany; CGS Board Member



The Idealist: Wendell Willkie's Wartime Quest to Build One World. By Samuel Zipp, Harvard University Press, 2020.

Wendell Willkie – successful lawyer and businessman, as well as a defeated candidate for U.S. President on the Republican Party ticket in 1940 – is a largely forgotten figure today. But, as Samuel Zipp reminds us, Willkie was extremely influential during World War II, when he launched a popular campaign for “global interdependence” or, as it became known, “One World.”

In this beautifully written and well-researched book, Zipp, Professor of American Studies at Brown University, points out that, unlike the conservatives and isolationists in his party, Willkie was a liberal who had backed Woodrow Wilson’s call for a League of Nations, advocated racial equality, and usually supported President Franklin D. Roosevelt’s policy of collective security.

Indeed, with World War II well underway, he and Roosevelt hatched a plan to have Willkie embark on a worldwide goodwill tour, by aircraft, from August to October 1942. This well-publicized venture was designed to demonstrate America’s political unity in wartime, foster support for the Allied powers, and provide a source of information on governmental and public opinion abroad.

Willkie – an informal, garrulous, likable individual with a common touch – not only had great success along these lines, but was powerfully influenced by what he saw. Appalled by imperialism and racism and impressed by the demand for freedom of colonized or subordinate people in Africa, the Middle East, and Asia, Willkie returned, as Zipp notes, convinced of the need to get Americans “to see the wider world through the lens of fraternity and cooperation.” He hoped to convince them that their independence “would require a new form of interdependence with the world,” one in harmony with “global desires for an end to empire and a guarantee of self-determination.”

Back in the United States, Willkie embarked on a round of interviews, speeches, and articles along these lines, capped off by the publication of an immensely popular book, *One World*. With sales topping 1.6 million copies by July, some observers called it the best-selling book in U.S. history. Furthermore, that June, more than 100 newspapers in the United States and abroad, with a combined circulation of over seven million readers, ran an abridged version in their pages. Using his celebrity status to assail both “narrow nationalism” and “imperialism,” Willkie produced what Zipp calls “a fleeting moment,” when he “showed the country an alternative possible future.”

But, the moment passed. Nationalists and imperialists began to criticize this vision, the Republican Party repudiated his leadership, and in October 1944, Willkie – at only 52 years of age – died of a heart attack. Although, after the atomic bombing of Japan, world federalist and nuclear disarmament groups adopted “One World or None” as their slogan, the idea of egalitarian global interdependence gradually lost favour, despite its occasional revival by environmentalists and others.

Even so, Zipp concludes, Willkie’s “diagnosis of the value of global interdependence has never been more prescient,” while “his warnings about the perils of racially charged ‘narrow nationalism’ have never been more indispensable.”



Samuel Zipp
Author

ABOUT THE AUTHOR

Samuel Zipp is a writer and historian. He is the author and co-editor of three books on American culture and history. He has written articles and reviews for *The New York Times*, *The Washington Post*, *The Nation*, *n+1*, *The Baffler*, *Metropolis*, *Cabinet*, *In These Times*. He lives in Providence, Rhode Island, where he is Professor of American Studies and Urban Studies at Brown University.

MOTIVATION BEHIND THE BOOK

I found my way into *The Idealist* through the back door. As a cultural and urban historian of the 20th century United States, I had written about the building of the headquarters of the United Nations in New York City, and from that research I had become aware of the intense interest that many middle of the road Americans had in internationalism during and after World War II. I was curious about the origins and fate of these ideals, and their place in the larger political culture of the time, surrounded as they were by intense nationalism to their right, and, to their left, a marginalized but prescient form of anti-racist, anti-imperialist criticism of American power and capitalism.

Reading *Wendell Willkie's One World* for the first time I was struck by how forthrightly he grappled with nationalism and how much he had borrowed from the campaigners to his left. Willkie himself was usually just written off as an also-ran, a flash in the pan whose role in history was simply to play help meet to FDR as the President took the US into the war and then to the commanding heights of global power. But *One World* and its popularity suggested that there was a different history here – of failure and of a vision cut short when Willkie died prematurely in late 1944, of course – but also of a prescient analysis of the way that the US was enmeshed in the world. That's the lesson I began to see as I told the story of Willkie's trip around the world in 1942, the "one world" boom of 1943 and 1944 and its partial realization in the founding of the United Nations, and the ultimate eclipse of his ideals under the gathering currents of the Cold War to come. Ultimately, I think Willkie's rough encounter with the forces of empire and racism during World War II reveal lost possibilities and warnings from an era when his vision of an internationalist US commanded a large popular audience. I've hoped to render those times in a broadly accessible narrative that doesn't shy away from deep political and cultural context, attention to the lives and challenges faced by people in the places he visited in 1942, and a healthy skepticism about the just so stories Americans tell themselves about World War II.

The Idealist: Wendell Willkie's Wartime Quest to Build One World was first featured in an online event, "Countering Nationalism: Remembering the Quest to Build One World." An original program of Citizens for Global Solutions, *Global Conversations* is a series of free online discussions with experts on vital global governance issues such as universal human rights, United Nations reform, world law, environmental protection, and World Federation. Visit CGS's YouTube Playlist for all *Global Conversations* sessions, including in-depth discussion with author Dr. Samuel Zipp.



KEEP HOPE ALIVE: ESSAYS FOR A WAR-FREE WORLD

Recommended by Blake MacLeod
WFM-Canada Board Member; *Mondial* Managing Editor



Keep Hope Alive: Essays for a War Free World. By Hon. Douglas Roche, edited by Khalid Yaqub, 2023.

Hon. Douglas Roche's latest book, *Keep Hope Alive* is a call to action in a turbulent world. As a former diplomat, senator, and a tireless advocate for peace and disarmament, Roche writes with a profound sense of urgency. For World Federalist Movement members, it offers inspiration and sage advice for facing diverse global challenges.

Roche's central thesis is clear: a commitment to hope must be sustained and nurtured while working for a better world. This perspective aligns with the core principles of world federalism: advocating for stronger international institutions, global governance, and collective action.

Touching critically on the legacy of colonialism "that never really disappeared", and pointing to the "Reaganomics" and "Thatcherism" of the 1980's, Roche contextualizes current global issues within a broad, historical and philosophical framework. He discusses threats posed by "mal-governance and grotesquely concentrated wealth" setting the stage for populist demagogues. Because nuclear weapons, climate change, and socio-economic inequality interconnect, he argues that a coordinated global effort is required in response. For world federalist readers, Roche's focus on the need for robust international cooperation and governance will land on common ground.

The book traces the peace movement's evolution from the early 20th century to the present day. Roche pays homage to activists and leaders who have dedicated their lives to the cause of peace, and he examines the movement's successes and failures through a critical lens. This historical perspective, including frank mention of religion, gender based violence and the role of "men's egos" in war is invaluable for understanding the current state of global affairs, especially as they pertain to the full potential of women and girls yet realized.

A significant length of *Keep Hope Alive* is devoted to nuclear disarmament, a cornerstone issue of the author's career. Roche provides a detailed analysis of the current status of nuclear arsenals, and of the geopolitical dynamics that perpetuate their existence. His insights are particularly relevant in light of renewed tensions between major powers in our increasingly multi-polar world. Roche argues persuasively, that the elimination of nuclear weapons is not only a moral imperative, but a practical necessity for global security. He levels criticism at the way Western nations invested in and expanded NATO following the cold war, while also restricting the UN's ability to function as intended. "Western hubris" he notes, "could not be contained."

Roche addresses the existential threat of climate change, drawing parallels between the need for disarmament, and the urgent need for environmental action. He critiques the inadequate response from national governments, and emphasizes the importance of international agreements like the Paris Accord. For world federalists, the need for a global governance is reinforced.

One of the most compelling aspects of the book is Roche's exploration of the role of civil society. He credits grassroots movements, non-governmental organizations, and individual activists for shaping policy and influencing leaders in their time. The bottom-up approach is a key tenet of the world federalist movement calling for diverse voices in decision-making processes.



Honourable Douglas Roche Author

Roche is frank in his assessment of the challenges and setbacks faced by peace and disarmament movements. He acknowledges the frustrations and disappointments, then takes stock of the gains insisting that setbacks must never deter us from our purpose. Instead, Roche insists, failures must serve as lessons for strategic refinement. In a vulnerably tender passage, Doug laments the shift from in-person conferencing to the convenience of digital meetings. He notes his sense of loss these days, of in-depth, face to face discussions with learned colleagues.

Keep Hope Alive is a powerful and timely book that should resonate deeply with world federalists. Douglas Roche's eloquent and passionate advocacy for peace, disarmament, and global cooperation offers a sobering assessment of our current predicament, and a hope-filled vision for our common future. This book is an essential read for World Federalist Movement members and kindred spirits working to build a more peaceful and just world. Doug has for years amused close friends saying each book will be his last...perhaps this is the day that promise becomes true.

ABOUT THE AUTHOR

The Hon. Douglas Roche, O.C., is an author, parliamentarian, and diplomat, who has specialized throughout his 50-year public career in peace and human security issues. He lectures widely on peace and nuclear disarmament themes. Hon. Roche was a Senator, Member of Parliament, Canadian Ambassador for Disarmament, and Visiting Professor at the University of Alberta. He was elected Chairman of the United Nations Disarmament Committee at the 43rd General Assembly in 1988. In 2018, he was recognized by the International Peace Bureau as one of three recipients of the Seán MacBride Peace Prize. He is an Officer of the Order of Canada.

MOTIVATION BEHIND THE BOOK

I wrote the book *The Idealist* because I wanted to show readers that there is a way forward toward world peace and security and that working for this goal helps raise hope within us. A global conscience is arising and we must reflect it in our actions to overcome the failing political leadership in the world today. The conflicts in Ukraine and Gaza are scarring tragedies, with hundreds of thousands killed and wounded, famines worsened, nuclear warfare threatened, and diplomacy unravelled. How do we get to a place of hope from here? This collection of essays shines a light on the reasons for my hope that humanity can achieve a peaceful and just coexistence through the UN's New Agenda for Peace and its blueprint for sustainable development.

Keep Hope Alive: Essays for a War-Free World was featured in joint World Citizen Virtual Book Club sessions with the World Federalist Movement – Canada (WFM-Canada). These sessions featured the author, Hon. Douglas Roche, and Kehkashan Basu. Visit the CGS YouTube playlist for these two sessions.





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