

MEDIA ADVISORY

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HOLOCAUST MEMORIAL DAY - JANUARY 27 Serious Initiatives to Prevent New Holocausts

Lesson of the Holocaust

"The lesson of the Holocaust is clear, but keeping our vow of 'never again' bedevils us to this day," said Warren Allmand, former Solicitor General and current President of the World Federalist Movement--Canada. "If we are to make our resolution a reality, the UN must be given both the authority and the tools to do its job properly."

Responsibility to Protect (R2P)

The **Responsibility to Protect** is a concept adopted at the UN World Summit in 2005 that gives the international community the authority in principle to react to grave crises when national governments fail to protect the most vulnerable from genocide, ethnic cleansing, war crimes, and crimes against humanity. Last year a Global Centre for the

Responsibility to Protect

was created. Now, at the time of Holocaust Memorial Day 2009, and after two years of regional preparatory meetings involving hundreds of NGOs, a global civil society coalition for **R2P**

is being inaugurated .

United Nations Emergency Peace Service (UNEPS)

The United Nations also requires its own troops to deploy rapidly as a 'first responder'. Aside from providing a robust military presence to establish security immediately, the proposed standing UN Emergency Peace Service (UNEPS) would also contain police to restore law and order as well as an array of civilian teams specializing in humanitarian, human rights and peace-building activities.

Canada's Role

According to Allmand, Canada could make an invaluable contribution by backing the creation of this standing emergency service and by helping the UN further implement **Responsibility to Protect** . Canada is co-chair of an informal UN group of states the "Friends of R2P", and later this year a report on the subject by UN Secretary-General Ban Ki-moon will be debated in the UN General Assembly. "By championing these two initiatives," said Allmand, "Canada could not only restore its traditional reputation as a UN supporter and global peacebuilder, but could help save millions of innocent lives by preventing future holocausts."

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WFM-C BACKGROUNDER

In 2005, the 60th anniversary year of the founding of the United Nations, the General Assembly passed a resolution designating 27 January as an annual day to commemorate the Holocaust. January 27, 1945 was the day the Soviet army advanced into Poland and liberated Auschwitz-Birkenau, the largest Nazi death camp. The resolution urges member states to develop educational programs remembering the past in order to help prevent future acts of genocide. A majority of UN member-states supported the resolution.

After WWII, the Nuremberg and Tokyo war crimes tribunals prosecuted those who perpetrated heinous acts against whole civilian populations - enslavement, extermination, forced deportation and genocide. Some critics contend that this justice was applied only to the defeated, and may have violated certain legal tenets such as "nullum crimen sine lege" ("where there is no law, there is no crime").

In 1947, the United Nations Convention on the Prevention and Punishment of the Crime of Genocide was adopted. Article I of the Convention stated that genocide is "a crime under international law" and article VI indicated that persons charged with the offense of genocide "shall be tried by a competent tribunal of the State in the territory of which the act was committed or by such international penal tribunal as may have jurisdiction...."

The same resolution invited an International Law Commission "to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide...." The Law Commission prepared several draft statutes in the period 1949 - 1954, but unfortunately the onset of the Cold War forestalled any further progress.

Renewed support for an international criminal court arose when crimes of mass violence in the former Yugoslavia and Rwanda came to light. In 1993, the Security Council established the International Criminal Tribunal for the former Yugoslavia (ICTY) and in 1994 a corresponding tribunal for Rwanda (ICTR). These "ad hoc tribunals" were again subject to criticism of selective justice since the mandates were limited in time and geography.

Following intense deliberations at a five-week 1998 U.N.-sponsored conference in Rome, representatives of 160 governments overwhelmingly approved a Statute to establish a permanent International Criminal Court (ICC). On April 11, 2002, the Rome Statute of the ICC received more than the 60 ratifications required, and the treaty entered into force on July 1, 2002. It is the first permanent and independent court capable of trying individuals, including heads of state, accused of the most serious violations of international humanitarian law.

While it is hoped the ICC will provide a strong deterrent effect to avoid future genocides, many feel that the international community must be proactive as well as reactive. A

Canadian-commissioned report "**Responsibility to Protect (R2P)**" calls upon the community of nations to develop preventive non-military measures for managing conflict, but also to intervene as a last resort when a country fails to protect its people from massive crimes against humanity or is itself the perpetrator. The report also stresses the international "responsibility to rebuild" in the wake of violent conflict. An international coalition of NGOs is trying to have this doctrine more reliably enshrined in international law.

Another current initiative is a call for the creation of a United Nations Emergency Peace Service (UNEPS), a group of 15,000 or more police, military and judicial experts, engineers, and relief professionals sent to areas in need of immediate attention. UNEPS would help in stabilization while countries iron out the longer-term details.

WORLD FEDERALIST MOVEMENT - CANADA

Working for global human rights through global laws and institutions

The World Federalist Movement - Canada (WFM-C), founded in 1951, is a branch of the international World Federalist Movement (WFM) which is headquartered in New York City across from the UN, where it is an accredited NGO.

World federalists believe the best guarantee of universal human rights is a global community based on the rule of law and democratically accountable international institutions, and that governments, civil society, and international institutions have a fundamental responsibility to protect civilians at risk.

During the 1990s, WFM coordinated the vast coalition of NGOs that successfully helped create the International Criminal Court where human rights violators from soldiers and civilians to generals and heads of state can be brought to justice. Today WFM campaigns for the ratification of the ICC by all countries.

In the 2000s, WFM leads a new coalition lobbying for the global adoption of the **Responsibility to Protect (R2P)**

as a new norm for the prevention of crimes against humanity and for multilateral military intervention as a last resort when gross and systematic violations occur. In September 2005 at the UN's historic Millennium + 5 Summit, WFM successfully pressed for the endorsement of R2P by the General Assembly.

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