

"All citizens are equal before law and are entitled to equal protection of law"-Article 27 of the Constitution of the People's Republic of Bangladesh

The Hague Appeal for Peace 1999

The Last Global Peace Initiative of the 20th Century

By A H Monjurul Kabir



HAGUE APPEAL FOR PEACE 1999

"For many people in this world right now, things are not as they should be. Some people are wealthy, while their neighbours don't have enough to eat. Many communities live in peace, while war claims innocent lives close by. Some children can communicate with each other across oceans through e-mail, while others are not even able to go to school. And I'm sorry to say, children are still being brought up to hate or fear their neighbours just because they speak a different language or go to a different church..."

Things get better when enough people decide that they should get better... Things can change when ordinary people come together in a common across purpose" — Kofi Annan, Secretary-General of the United Nations.

And at the tag end of the nineteenth century, the Hague Appeal for Peace, an international campaign has been initiated by civil society that combines individuals, civil society groups, international organisations and governments in the pursuit of one overarching goal: The promotion of a culture of peace in the next century. It plans to achieve this goal by saving the seeds for the abolition of war and by declaring peace to be a human right. The campaign will come to a focus at a conference on May 11-15,

1999 in the Hague, the Netherlands. After a decade of world conferences on children environment, human rights, social development, population advancement of women, and habitat, the last major conference of the century would be on peace and international justice. The overall theme of the conference is "It's time to abolish war and the causes of war"

Why in 1999, in the Hague, The Netherlands?

The city, of the Hague is the world's capital of international law. In 1899, the first International Peace Conference took place in the Hague. This conference was unique unlike almost all previous peace conferences, it was convened not to conclude or settle a war, but to discuss the establishment of permanent mechanisms of international law for the purposes of disarmament, the prevention of war, and the peaceful settlement of disputes. The 1899 conference was followed by the second International Hague Peace Conference in 1907, which was largely inspired by citizen peace societies. These two conferences made historic advances in developing international humanitarian law, establishing the Permanent Court of Arbitration (PCA) and planting the seeds for the League of Nations, the Permanent Court of Justice and their successors — the United Nations and the International Court of Justice (ICJ). Both the PCA and the ICJ are located in the Peace Palace in the Hague.

Specific Goals

"If we could abolish apartheid, why not war?" asserted Archbishop Desmond Tutu at the launch of the Hague Appeal for Peace. The goal of the Hague Appeal is to plant the seeds for the delegitimation of war in the new century, both inter-state conflict and intra-state violence. According to the organisers, peace is a human right, and what better time than

the celebration of the 50th anniversary of the Universal Declaration of Human Rights to make that clear. It is expected that the Hague Agenda for Peace and Justice for the 21st century will define a culture of peace to replace the culture of war and violence which has defined the 20th century.

The Participants and the Focus Groups

Grace Machel, President of the Mozambique Foundation for Community Development and First Lady of South Africa, Nobel Laureates Joseph Rotblat and Jose Ramas Harta have invited people from around the world to come to the Hague. Their letter of invitation says: "As long as 1.3 billion people live in poverty, and bloated defense budgets deprive citizens of their fundamental, economic and social rights, then there will be strife... When humanity invests in the force of law instead of the law of force, when governments ratify the new International Criminal Court



Kofi Annan, Secretary-General of the United Nations will address the closing plenary session of the Hague Appeal for Peace conference on May 15, 1999.

statute, the land mine treaty, and a nuclear weapons convention; and when humanity commits itself to all human rights for all people, only then can we feel secure in the knowledge that we and our grand children can look forward to a world of peace with justice..."

Women, educators, faith based groups, media expert indigenous people, labour and youth will see that their needs and interests are included. It will essentially be an arrangement by the global civil society.

Towards Pro-people Approaches

Conventional approaches to peace have failed miserably in this century. The world community is demanding new approaches, citizen-based, community-based, "bottom-up" alternative strategies and structures.

The range of themes being addressed by the Hague Appeal for Peace is enormous and daunting. However, the passionate commitment and extraordinary breadth of scope of the participating organisations, coalitions and networks is truly inspiring.

The Hague Agenda is being developed in national and regional preparatory meetings. The process is bottom-up and participation-based. With the participation of UNICEF, UN-ESCO, ICRC and the acceptance of UN Secretary General Kofi Annan to attend, the momentum for the Hague Appeal grows every day.

Network Building in Bangladesh

A Bangladesh National Youth Preparatory Committee has been formed to contribute to the Hague Appeal for Peace. It consists of 37 members from different Bangladeshi youth organizations. On December 1, 1998, the committee organized a Hague Appeal for Peace rally at the National Museum, Dhaka, in collaboration with the National Federation of



Carol Bellamy, Executive Director of the United Nations Children's Fund (UNICEF), will be among the opening speakers at the Hague Conference on May 12.

Youth Organisations in Bangladesh (NYOB)

As a part of global effort to make the Hague Peace Conference successful, Bangladesh Legal Aid and Services Trust (BLAST) has undertaken a national consultation and network building process with NGOs, lawyers, human rights activists and representatives of civil society. It has also translated the leaflet of the Hague Peace Appeal into Bengali and disseminated it among various segments of society. There has been an overwhelming response in the form of a huge number of endorsement forms. BLAST is maintaining regular contact with interested organisations and individuals through in-house discussion and personal communication. It arranged a two-day roundtable discussion on HAP on December 14 and 15, 1998. In order to strengthen the peace movement in South Asia, BLAST also attend the South Asian Hague Appeal Preparatory Conference in Kathmandu on March 5 and 6, 1999.

For more details, anyone may contact Dr Borhan Uddin Khan, Assistant Professor, Department of Law, Dhaka University and Co-ordinator, Legislative Advocacy and Participa-

tion of Civil Society, BLAST. E-mail: cblast@bangla.net

Peace is a Human Right

"In Cambodia, in Bosnia and Herzegovina, in Rwanda, our time — this decade even — has shown us that man's capacity for evil knows no limits." — United Nations Secretary General Kofi Annan.

As the draft vision statement describes, after a century of terrible wars civil society is planning a major, end-of-the-century peace conference in May 1999 in the Hague to coincide with 100th Anniversary of the First International Hague Peace Conference.

Let us hope the Hague Appeal



Grace Machel, Hague Appeal for Peace keynote speaker, President of the Mozambique Foundation for Community Development and First Lady of South Africa.

for Peace, the last global peace initiative of the 20th century for the next millennium will sharpen the collaboration of governments, international governmental organisations and civil society, the 'new superpower', according to Nobel Laureate Jody Williams. mkabir@bdcom.com

Law Watch

International Law as a Tool for Advocacy

By Mary Ellen Tsekos

It is the task of justice advocates to mobilize and educate the public as well as to harness international pressure and utilize the various UN monitoring bodies. This may not be an easy task given such challenges as lack of enforcement mechanisms or rule of law. Nonetheless, as the world's barriers shrink, it is clear that justice advocates will need to work at expanding their focus.

"What is happening now — the dynamic dialogue between people — going to benefit all and will definitely have a positive effect on the whole international community." — Mahnaz Afkhami

THE world of the 20th century is one of shrinking divides. No longer is the width of oceans sufficient for separating individuals; no longer can the lands past the date line be considered "other." While rapid advancements in technology have created a global community, they have also endowed us with the immense responsibility of working toward worldwide justice. It is clear that the work of advocating for social, economic and political justice cannot continue to be confined to our backyards. It is vital to examine methodologies that can be used effectively in developing an equitable world society.

International law, one tool for social justice advocacy, is a relatively modern notion and global advocates are deepening their mastery of its use. Working with international law can be more difficult than dealing with national laws. For one thing, it does not have any true enforcement mechanisms. Country representatives create, sign and ratify international treaties and conventions which comprise the basis of what is considered international law. Once these conventions are ratified they become legally binding obligations with which states should comply. As of yet, though, no policing body exists which can actually enforce the laws. While countries should adopt national legislation that implements the treaty components, it is only NGOs that can truly hold their governments accountable to their commitments.

In light of the difficulty of enforcing international law, what is its practical effectiveness? To address this, I interviewed five US advocates in the field: Mahnaz Afkhami, President of The Sisterhood Is Global Institute; Pauline H Baker, President of The Fund for Peace; Jerine B Bird, President of Partners for Peace; Geeta Rao Gupta, President of International Centre for Research on Women; and Martina Wrede, Intern with the American Bar Association.

Among the advocates interviewed, there tends to be optimism about the effectiveness of employing international law toward the creation of an equitable global community. Most agree that conventions such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) can stimulate change.

Most see international law being effective because of its ability to change the discourse and thus alter the norms. As Gupta states, conventions and treaties such as CEDAW "create a standard of what is acceptable behaviour internationally for states. As a result, if nothing else, states respond. Even if they don't implement those standards internally, they're embarrassed if they're shown to be not following those standards. To that extent, international laws create mechanisms whereby states can be held accountable."

Countries with the greatest desire to make a good impression internationally may work hardest to at least appear as if they are implementing various conventions. International law has little effect, however, in countries that are not governed by the rule of law and do not have the freedom of speech. Also, international law is of little consequence in any country if justice advocates are not using it to bring about tangible change at the local level.

While the effective use of international law "is so different from one country to another," as Bird observes, the advocates interviewed describe three levels that justice advocates can work on in order to bring about true change:

- **Domestic legislation in one's respective countries.** Gupta emphasizes the great ease with which many governments sign treaties and conventions to world international endorsement. The standard created by international law and this potential embarrassment can be used by NGOs to hold their governments accountable for their actions.

- **Public education to change individual attitudes.** International law emphasizes the unity of all humankind, separate from any government. It speaks to individuals, not just to governments. At a June 1998 presentation, Salma Khan, Chairperson of the UN Committee on the Elimination of Discrimination Against Women, emphasized that, in Bangladesh, CEDAW has been effective for some time. Though equality laws have existed for some time in Bangladesh, women had not begun to pressure their government for implementation of those laws until they felt that there was a body greater than their government authorities to which they could appeal for help. Khan's Bangladesh-based NGO, Women for Women: A Research and Study Group, educates the public about their ability to access international bodies and to hold their own countries accountable.

- **Utilizing the United Nations (UN) monitoring bodies.** Baker observes that, since the end of the Cold War, NGOs and non-profit organizations are succeeding in having a greater role in influencing the UN. With the demise of the overwhelming security concerns of the Cold War period, she is hopeful that social, economic and political justice issues will now be able to take the forefront.

There are cautions to how international law is used. Wrede comments that the use of international law tends to be dominated by the global North. Also, many express concern about the tendency of advocates from the global North to be culturally insensitive when working with women from the global South. Afkhami is hopeful, however, emphasizing that in recent years the international involvement of Northern advocates in social justice issues has become significantly more culturally sensitive and, thus, more effective. She observes that the "dynamic dialogue" that is now taking place will be beneficial not only to the developing global South but also to the developed global North.

While today's justice advocates are faced with the enormous responsibility of working for the betterment of societies throughout the world, they are not without tools to aid them. International law, as an advocacy tool, presents numerous opportunities. It is the task of justice advocates to mobilize and educate the public as well as to harness international pressure and utilize the various UN monitoring bodies. This may not be an easy task given such challenges as lack of enforcement mechanisms or rule of law. Nonetheless, as the world's barriers shrink, it is clear that justice advocates will need to work at expanding their focus.

The writer, an Everett Public Service Intern with the Capacity Building Program, is a senior at the College of William and Mary and originally hails from Athens, Greece. Courtesy: ChangeExchange, October 1998.

Discussion Draft Agenda for Peace and Justice for the 21st Century

THIS Discussion Draft Agenda for Peace and Justice for the 21st Century has emerged from an intensive process of consultation between the members of the Hague Appeal for Peace Organising and Coordinating Committees, the numerous other organisations that actively participate in the Hague Appeal for Peace process and the Hague Appeal for Peace programme coordinators. It represents, in draft form, what these civil society organisations consider to be the most important challenges facing humankind as it prepares to embark upon a new millennium.

Send Your Feedback: In order to develop into a truly global Agenda for Peace and Justice for the 21st Century, this document must grow to reflect even more the priorities of civil society world-wide. Since feedback should be as representative as possible, we encourage you to mobilise your organisation or network — in cooperation, if possible, with other organisations and networks — to discuss this Agenda. Mark your results "Feedback on the Hague Appeal for Peace Discussion Draft Agenda for Peace and Justice for the 21st Century," indicate clearly which organisations contributed to drafting the feedback, and send it to: The Hague Appeal for Peace c/o WFM 777 UN Plaza, New York, NY 10017, USA. Fax: +1-212-599-1332. E-mail: <chap99@igc.org>

In order to be considered when compiling the Draft Hague Agenda for Peace and Justice for the 21st Century — the core discussion document for the Hague conference — your feedback should reach this address before March 31, 1999. Feedback received after this date, however, will be taken into consideration when compiling the final version of the Hague Agenda for Peace and Justice for the 21st Century.

Preamble
The world is emerging from the bloodiest, most war-ridden century in history. On the eve of the new century, it is time to create the conditions in which the primary aim of the United Nations, "to save succeeding generations from the scourge of war," can be realised. This is the goal of the Hague Appeal for Peace.

Skeptics will say that it cannot be done. The Hague Appeal challenges this assumption. This century has seen unimaginable changes. Society now has the means to cure disease, reduce poverty and eliminate starvation. The twentieth century has also seen the creation of a set of universal norms which, if implemented, will go a long way toward making war unnecessary and impossible. And this century has seen the replacement of authoritarian forms of government by democratic governance, a phenomenon which enables civil society to play a far greater role than heretofore in the affairs of humanity.

This historic mission cannot be entrusted solely to governments. Recent years have

seen outbreaks of genocide in Cambodia, Bosnia and Rwanda, brutal attacks against civilians and the spread of horrendous weapons of mass destruction capable of ending life on much or all of the planet. In all but a few cases, the world's governments have manifestly failed to fulfill their responsibility to prevent conflict, protect civilians, end war and create the conditions of permanent peace.

As a result, the Hague Appeal proposes a citizens Agenda for Peace and Justice for the 21st Century. This will entail a fundamentally new approach, building on the recent model of New Diplomacy in which citizen advocates, progressive governments and official agencies have worked together for common goals. We will embrace the moral imagination and courage necessary to create a 21st century culture of peace and to develop national and supranational institutions which ultimately must be the guarantors of peace and justice in this world.

There is already much to

Themes

Components of the Hague Appeal, from the conference programme to the campaigns, are motivated by the following main themes:

- **Traditional Failure:** Traditional approaches to preventing war and building peace have by and large failed disastrously. This is evidenced by the growing brutality of warfare, and the callous disregard for civilian life in such conflicts as Kosovo, the Congo and Sierra Leone. Big-power bullying tactics are not diplomacy. Sanctions that starve the poor are not solidarity. Fire-brigade peacekeeping efforts are no substitute for sophisticated early warning systems.

- **Human Security:** It is time to redefine security in terms of human and ecological needs instead of national sovereignty and national borders. This will establish new priorities, and redirect funding to sustainable development instead of armaments.

- **All Human Rights for All People:** The violation of human

- rights is one of the root causes of war. These violations include the denial of economic, social and cultural rights, as well as political and civil rights. The artificial distinction between these two sets of rights can no longer be tolerated.

- **Soft Power:** We are profoundly encouraged that civil society and progressive governments are choosing "soft power" paths, utilizing negotiation, coalition building and new diplomacy methods of settling disputes, while rejecting the hard power dictates of major powers, militaries and economic conglomerates.

- **Replacing the Law of Force with the Force of Law:** The force of law has been contemptuously ignored in contemporary conflicts.

- **The Hague Appeal:** seeks to invigorate, develop, and promote universal adherence to and implementation of international law. It also seeks to create and invigorate the international institutions of law, like the International Court of Justice and the new International Criminal Court. International law must also be made more accessible to individuals.

- **Humanitarian Intervention:** The Hague Appeal demands the speedy and effective intervention of humanitarian forces, subject to the prescriptions of the United Nations Charter, when civilians are threatened

- by genocide, war crimes, crimes against humanity and extreme national disasters. It is extraordinary that so little attention has been paid to the idea of establishing a standing intervention force. Civil society should consider new forms of civilian intervention as a matter of urgency.

- **Finding the Money for Peace and Starving the Funds for War:** The allocation of resources is seriously distorted. Many of today's conflicts are fuelled by economic greed and the grab for raw materials, while billions are spent on the arms trade and other forms of militarization. At the same time, many worthwhile peace initiatives and programmes for human security suffer from a lack of funds even though governments have adopted an extraordinary series of global action plans at the historic world conferences convened during the last ten years. These priorities must be reversed. In addition to eliminating weapons of mass destruction and drastically curbing the arms trade, military budgets must be progressively reduced.

- **Main Actions**
The Hague Appeal for Peace will serve as a launch pad for several major, new initiatives and actions. It will also infuse many important, ongoing campaigns with increased momentum. Other campaigns will be identified between now and May 1999. Among these campaigns will be:

- **Small Arms:** The International Action Network on Small Arms (IANSA) will launch the next major grassroots disarmament campaign, for a drastic reduction in the trade in small arms.

- **Landmines:** The International Campaign to Ban Landmines (ICBL) will unveil its first report on implementation of the Ottawa mine ban treaty and renew the call for its universal ratification.

- **The International Criminal Court:** The Coalition for an International Criminal Court (CICC) will launch a global campaign to ratify the statute and complete the establishment of the new court.

- **Nuclear Weapons:** Abolition 2000 and the Middle Powers Initiative will present their campaign for a convention outlawing nuclear weapons, building on the momentum generated by the 1996 International Court of Justice advisory opinion and the New Agenda Coalition.

- **Global Action for Peace (GAP):** The Hague Appeal will launch a major programme for a phased reduction in military establishments over a period of years, accompanied by the creation of effective mechanisms for conflict prevention and resolution.

- **Humanitarian Intervention:** The Helsinki Citizens Assembly and a number of other groups plan to start a worldwide coalition of peace forces to promote humanitarian intervention.

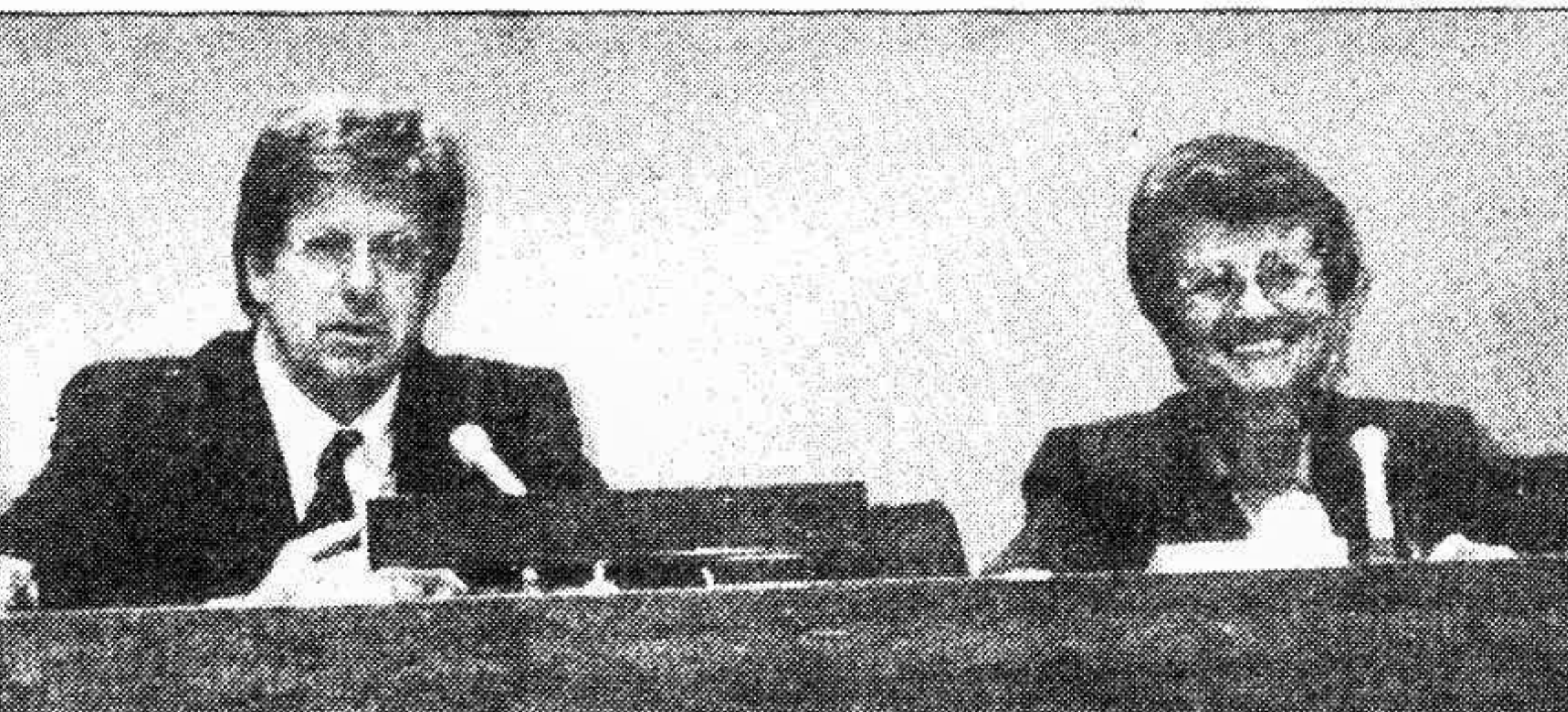
- **Education for a Culture of Peace:** The Hague Appeal will call for a major campaign (1) to

- make universal peace education compulsory in primary and secondary schools and in teacher education, (2) to include, as standard offerings, human rights and peace studies in universities and international law education in law schools, and (3) to strengthen cooperation with UNESCO's programme to promote a culture of peace.

- **Child Soldiers:** The Coalition to Stop the Use of Child Soldiers will intensify its campaign to prohibit the recruitment and use in hostilities of children under the age of 18. Actions on poverty are being planned.

- **Agenda Items**
The following are the specific agenda-items that have been identified during the Hague Appeal for Peace process thus far:

- Implement a Global Action Plan to Prevent War by Negotiating Reductions in Military Forces, Weapons and Budgets
- Demilitarize the Global Economy by Reducing Military Budgets and Shifting Resources towards Human Security Programmes
- Negotiate and Ratify International Treaty to Eliminate Nuclear Weapons
- Prevent Proliferation and Use of Conventional Weapons, including Light Weapons, Small Arms and Guns and Safeguard Personal Security
- Ratify and Implement the Landmine Ban Treaty
- Prevent the Development and Use of New Weapons and Military Technologies and Ban Deployment of Weapons in Space
- Strengthen Universal Implementation and Adherence of Biological Weapons Convention and Chemical Weapons Convention
- Hold States Accountable for the Impact of Military Production, Testing and Use on the Environment and on Health
- Build a Civil Society Movement for the Abolition of War
- Educate for Peace, Human Rights and Democracy
- Combat the Adverse Effects of Globalization
- Advance the Sustainable and Equitable Use of Environmental Resources
- Eradicate Colonialism and Neocolonialism
- Eliminate Racial, Ethnic, Gender and Religious Intolerance
- Promote Gender Justice
- Protect and Respect Children and Youth
- Promote International Governance
- Proclaim Global Non-Violence
- Eliminate Communal Violence at the Local Level
- Strengthen Local Capacities for Peace
- Strengthen the United Nations' Capacity to Maintain Peace
- Prioritize Early Warning and Early Response
- Promote the Training of Civilian Peace Professionals
- Refine the Use of Sanctions
- Strengthen Mechanisms for Humanitarian Intervention
- Engender Peace Building
- Empower Young People
- Listen to the Voices of Unrepresented Peoples
- Strengthen Coalition-Building between Civil Society Groups
- Strengthen Regional Capacities for Peace
- Mainstream Multi-Track Diplomacy
- Utilise the Media as a Proactive Tool for Peacebuilding
- Make "Conflict Impact Assessment" a Requirement
- Advance the Global



Bill Pace (Secretary General) and Cara Weiss (President) speaking about the Hague Appeal for Peace at the annual DPI/NGO conference at the United Nations.

choose from. Civil society has flourished since the end of the Cold War and launched campaigns aimed at eradicating landmines, reducing the traffic in small arms, alleviating third world debt, ending violence against women, abolishing nuclear weapons, stopping the use of child soldiers and building an independent, International Criminal Court. These grassroots efforts are having a major impact. They are succeeding because they engage ordinary people; because they integrate different sectors (human rights, the environment, disarmament, sustainable development, etc.); because they invite the full participation of women, youth, indigenous peoples, minorities, the disabled and other affected groups.

These campaigns have generated unity and cohesion and demonstrate what can be done when people are listened to instead of talked at.

The Hague Appeal for Peace intends to listen, learn and then to build. Out of this process will emerge a new citizens' Agenda for Peace and Justice for the 21st Century. It is a vital and realisable goal.

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Campaign for the Establishment of the International Criminal Court • Encourage Close Cooperation Between the Converging Fields of International Humanitarian and Human Rights Law • Reinforce Support for the International Criminal Tribunals • Enforce Universal Jurisdiction for Universal Crimes • Building Upon the Pinochet Precedent • Reform and Expand the Role of the International Court of Justice in the Context of a More Comprehensive System of Global Justice • Strengthen Protection of and Provide Compensation for the Victims of Armed Conflict • Stop the Use of Child Soldiers • Help Victims to Hold Abusers Accountable Under International Humanitarian and Human Rights Law • Protect Human Rights Defenders, Humanitarian Workers and Whistleblowers • Train Grass-

roots Organizations to Use National, Regional and International Mechanisms in the Enforcement of International Law • Promote Increased Public Knowledge, Teaching and Understanding of International Humanitarian and Human Rights Law • Integrate Human Rights Protections into Conflict Prevention, Resolution and Post-Conflict Reconstruction • Build Upon the Successes and Failures of Truth Commissions and Political Amnesties • Establish a Universal and Effective System of Habeas Corpus • Subject Warming to Democratic Controls.

A short text explaining each of these Agenda Items can be found on the following web-site: <http://www.haguepeace.org>

Source: Peace Matters, January/February 1999