World Legislative Act Number 53
Transition Process for National Governments
Joining the Earth Federation

Short Title:
Transition Act

Whereas, the *Constitution for the Federation of Earth* assumes that all nations joining the Earth Federation will conform to the requirements of the Constitution, including Articles 12 and 13 providing extensive protection of human rights: political, social, and global (i.e. the rights to peace and a protected environment);
And whereas even provisional world government "shall function in accordance with the provisions of this constitution" (Art. 19.E.8);
And whereas Article 14 guarantees to nations entering the Earth Federation (1) full faith and credit to member nations' public records, acts, and legislation consistent with the several provisions of the *Earth Constitution* and (2) the right to choose their own internal political, economic, and social systems "consistent with the several provisions of the Constitution;"
And whereas, Article 14 implies that Earth Federation shall bring public acts and legislation not consistent with the Constitution into conformity with the Constitution and that Earth Federation shall bring political, economic, and social systems not consistent with the Constitution into conformity with the Constitution;
And whereas, the principle of nationhood itself is understood by the Constitution to be secondary to the principles of individuals' human rights and liberties, so that, under Article 17, people may ratify the Constitution directly, independently of the national entities in which they reside;
And whereas, the Constitution provides for three stages in the process of actualization of the Earth Federation to assume its full powers, thereby recognizing a transitional period from the old system of militarized nation-states to the new Earth Federation system;
And whereas, the Constitution specifically recognizes a transitional process for nations joining the Earth Federation in which they turn over only weapons of mass destruction to the World Disarmament Agency during the first operative stage and are not required to finally disband their militaries until the second operative stage in the actualization of the Earth Federation;
And whereas, the distinction between the immediate guarantee of the rights identified in Article 12 and the commitment to actualizing with reasonable speed the rights identified in Article 13 indicates that nearly all nations will be part of a transition process as identified in these features of the *Earth Constitution*;
And whereas, it may be that today no nation on Earth fully conforms to the *Earth*

Constitution in terms of national military, human rights record, or social requirements for decision-making that truly protects the rights of its citizens;

We delegates at the 13th session of the Provisional World Parliament recognize the need to further define and enable the process of transition from the condition of 'sovereign,' non-democratic, often militarized nation-states to membership within the Earth Federation.

1. The Federation of Earth is open to all people and nations. The World Executive, World Courts and any other entity must not exclude any nation or group from joining the Earth Federation that has satisfied the criteria specified in Article 17 of the Earth Constitution.

1.1 Nations or groups with political, economic, social systems, or practices not in conformance with the Constitution shall enter into a transitional agreement and begin a process of transition.

1.2 Nations or groups governed by a military, dictator, oligarchy, or other government that does not conform to the *Earth Constitution* do not have to eliminate this mode of governance immediately but only according to the timed stages in the transitional agreement.

2. Transition Plan

If the first operative stage of the Earth Federation has not yet been activated under the criteria set forth in Article 17, representatives of interested governments shall meet with duly authorized members of the Provisional World Government to develop a detailed transition plan that begins either before ratification or once the nation or a constituent electoral district of that nation has given final ratification to the Earth Constitution.

3. Transition Council

If the first operative stage of the Earth Federation has already been activated, the appropriate members of the newly elected Presidium and Executive Cabinet shall meet with the Commission for Legislative Review and a Transition Council to review provisional world legislation and institutions already in place that bear on the question of the process of transition for states or electoral districts entering the Earth Federation toward conformity of the Earth Constitution. The review shall include this legislative act.

4. In the light of these meetings, the Transition Council shall revisit the plan presented in this legislation. The Transition Council may develop further

transitional plans for nations joining the Earth Federation, subject to approval by the World Parliament.

5. Composition of the Transition Council

The Transition Council composes of 30 elected members and 7 ex-officio members:

5.01 The Presidium and Executive Cabinet of the Earth Federation will nominate 30 qualified persons from at least 5 continents and 10 different nations to serve as the Transition Council charged with working with nations in the process of transition to membership in the Earth Federation.

5.02 From these 30 nominees, the World Parliament will elect, by a majority vote of the combined three houses, a council section of 20 members from at least 5 continents and 10 different nations to serve on the Transition Council.

5.03 The Office of the World Ombudsmus shall nominate 10 candidates for the Council, two from each continental division and from at least 5 different nations, of which the Parliament will elect 5.

5.04 The Office of the World Attorney Generals shall nominate 10 candidates for the Council, two from each continental division and from at least 5 different nations, of which the Parliament will elect 5.

5.05 The term of membership for all members on the Transition Council is 5 years with a maximum of 2 consecutive terms.

5.06 The World Parliament shall determine salary for the 30 elected members of the Transition Council.

5.07. Minimum age for persons serving on the Transition Council is 30 years of age, except for ex-officio members, for which the minimum age is 21. Other requirements are credible background experience in the humanities, politics, and law.

5.08. The Transition Council is responsible to the World Parliament and shall make quarterly reports. The Transition Council shall make interim reports when specified by the Parliament.

5.09. An absolute majority vote of the World Parliament in combined session may at any time remove for cause any member of this Council. Original sources shall replace removed members with qualified replacement members within 60 days.

5.10. Members of the Presidium, the Minister for Foreign Affairs, and the Minister for Democratic Procedures are ex-officio members of the Transition Council. As Ex-Officio members with other responsibilities, Presidium members and Ministers need not be present at meetings of the Transition Council, but need be present to vote in Transition Council decisions. The Transition Council shall elect a Vice-President of the Presidium to serve as Chair of the Transition Council. Any other member of the Presidium, the Minister for Exterior Relations

of the Earth Federation, or the Minister for Democratic Procedures of the Earth Federation may serve in the Vice-President's absence or on procedural grounds.

6. Any nation may join the Earth Federation immediately upon satisfying the criteria set forth in Article 17 of the *Earth Constitution* thereby appointing or electing representatives to the House of Peoples and House of Nations according to the provisions of the Constitution.

7. Representatives of interested governments and/or representatives of governments that have ratified the *Earth Constitution* shall meet either collectively or separately with the 30 member Transition Council or designated members of the Council to formulate a process of transition to conformity with the *Earth Constitution*.

7.1. These meetings may commence earlier, but not later, than within two months after final ratification is completed.

7.2 A state member may agree to a transition plan earlier, but shall formally agree on a specific plan no later than four months after the date of final ratification.

7.3 The Transition Council shall divide this transition process into timed stages by which certain changes shall take place. For example, the Transition Council may expect a member state in the process of transition to amend the state's respective Constitution, or to adopt or repeal certain state legislation. The Transition Council may expect the disbanding or creation of certain institutions (e.g., secret police, or secret detention centers, or practices within detention centers that violate human rights). (Note that state constitutional amendment is not required as any prior condition to ratification of the *Earth Constitution*, and that state constitutional provisions that contradict or appear to impede ratification are annulled by provision 17.1.11 of the *Earth Constitution*.)

7.4 The conversion shall take place within reasonable and achievable time periods with final say concerning these time periods determined by a majority vote of the Transition Council.

7.5 Although the agreement between the Council and nations will be unique to each nation joining the Federation, depending on its specific economic, political, and social conditions, the Transition Council shall develop a standard model for transition that can serve as a guide and template that can be used to help facilitate the process of reaching a transition agreement with each nation.

8. Dictators, military rulers, oligarchies, or other governments not in conformance with the rights granted by the *Earth Constitution* shall devise and implement procedures for transition to appropriate institutions and other protections of human rights conforming to the *Earth Constitution* with reasonable speed as determined by agreement with the Transition Council.

8.1. Dictators, military rulers, oligarchies, or other governments not in conformance with the *Earth Constitution* do not have to give up their power or authority immediately but shall follow the timed arrangements specified in the Transitional Plan.
8.2. Since the *Earth Constitution* does not specify that nations participating in the House of Nations be elected democracies, some nations might find suitable forms of government that are not democratically elected, and current leaders of non-democratic nations might retain their positions as long as the human rights of their populations (as specified in Article 12 of the Earth Constitution) become fully protected.
8.3. In the transition agreement, participating states shall agree to work with the Earth Federation to implement the additional rights specified in Article 13 of the *Earth Constitution* and to participate in any programs currently in progress to implement the rights guaranteed under Article 13.
8.4. One purpose of the transition plan is to allow a specifically defined grace period for persons in governments not conforming to the laws of the World Parliament to avoid or mitigate prosecution through reasonable efforts to bring their actions and nations into conformity with world law. The Transition Council and respective nation shall write specific agreements to this effect into the transition plan.
8.5. Since individuals are subject to criminal prosecution, not governments collectively, transition plans shall identify individuals responsible for completing certain transition tasks and/or (since individuals occupying posts may change) the occupants of specific functions or offices within the government subject to the transition agreement.
8.6. The Transition Council, Ombudsmus, and World Attorney Generals are not under requirement to prosecute or indict (for any pre-existing condition or element specified in the transition plan) any democratic or non-democratic rulers who join the Earth Federation and who are implementing the respective transition plan in good faith.
However, this provision enjoins the Transition Council, World Ombudsmus and World Attorneys General to be alert to alleged breaches of the respective transition plan, identifying individual perpetrators and accompanying evidence if breaches are suspected, particularly if breaches involve violation of world law.
8.7. Leaders and citizens remain subject to the full laws of the Earth Federation as protected by the World Ombudsmus, the World Attorney Generals and Police, and the World Judiciary.

9. The stages of conversion may differ from country to country depending on the agreements reached between the representatives of the country and the Transition Council, but, in general, the Transition Council shall treat nations with

the same requirements and same impartiality, using the standard transition model (described above) as a template.

10. In coordination with inspection procedures of the World Disarmament Agency, the agreement shall specify a process of inspection and/or confirmation of the agreed upon transitional stages. The Transition Council may institutionalize the process, drawing upon the resources of existing human rights organizations such as Amnesty International, Human Rights Watch, or the UN High Commission for Human Rights.

11. The Council will, by 2/3 majority vote, certify that each stage in the agreement has been completed and confirmed.
11.1. Once all the stages in the plan have been completed and confirmed, the Transition Council has authority to certify countries as fully integrated into the Federation through this vote.
11.2. Failure to meet the agreed upon deadlines will result delays and/or penalties specified in the transitional agreement such as loss of the power to appoint representatives to the House of Nations, or other pre-agreed sanctions, including possible prosecution through the Bench for Public Cases or the bench for Criminal Cases.
11.3. Within the limits of the World Penal Code, the Transition Agreement itself may assess liability to prosecution and severity of penalties within the timed stages specified in the transition plan. Within the limits of the World Penal Code, the World Court may assess or increase these liabilities and severity of penalties if these are not specified in the transition agreement.

12. Countries not satisfied with the decisions of the Council at any stage may take the issue to the Bench for Human Rights of the World Supreme Court, which may wish to review the procedures and decisions of the Transition Council for this particular case.
12.1. Decisions of the Human Rights Bench of the World Court with regard to any nation that has joined the Earth Federation under a transition agreement are final, unless eligible for review by the Appeals Bench of the World Court.
12.2. In cases of a judgment against leaders of a nation that has failed to meet the requirements of its transition agreement, the World Court shall return the issue to the Transition Council to devise a new or modified transition plan and set of procedures of inspection or confirmation of that plan.
12.3. If criminal activities or negligence regarding the items specified in the transition plan are uncovered, the World Attorneys General may serve criminal indictments upon specific individuals.

12.4. Such indictments, if served, do not preclude the development of a new or modified transition plan for the country in question.
12.5. If failure to meet transition plan deadlines or other specifications are not evidently due to criminal activity or negligence, the accountable offices of the national government might yet be subject to prosecution in the Bench for Public Cases of the World Court System.

13. The most important consideration for the Transitional Council is the protection of universal human rights in the countries joining the Earth Federation as specified in Articles 12 and 13.
13.1. The kind of political, economic, or social system may vary from country to country. The Transition Council shall give full faith and credit to the legislation, records, public acts, and judicial proceedings of the countries joining the Earth Federation, as stated in Article 14.
13.2. The Transition Council, therefore, must not see its responsibility as ideologically promoting certain political, economic, or social systems but rather as protecting the universal human rights of all persons who are members of the Earth Federation, including all of the rights identified in Article 12 (which form the criteria by which completion of the transition process is judged) and willingness to progress on the rights identified in Article 13.
13.3. It is the responsibility of the Transition Council in conjunction with nations joining the Earth Federation to devise a system of inspection and confirmation to ensure the reality and security of this protection of rights within each country joining the federation.
13.4. Once a nation has been certified by the Transition Council as fully conforming to the *Earth Constitution*, the on-going protection of the human rights within that nation are the responsibility of the government of that nation, the World Police, the World Ombudsmus, world citizens and other agencies of the Earth Federation as per the requirements specified within the *Earth Constitution*.

14. General military base transitions.
Once the Earth Federation reaches its second operative stage as specified in Article 17, the process of general disarmament shall begin for Earth Federation nations. The World Disarmament Agency and the Transition Council shall coordinate to specify the transition plan. The plan shall be designed for a successful transition to the rule of civil law and to avoid vulnerability or insecurity for any of the member nations.
14.1. World Legislative Act Number 36, the Guantánamo Bay Directive, addressed the transition of a particular military base. Generally, the Transition Council shall address military bases worldwide under the terms of world legislation and in particular world legislative act numbers 1, 13, 14, 34 and 36.

(Nuclear Prohibition, World Peace Act, World Security Act, the Dismantling Procedure and Guantánamo.)

14.2. Whether democratic or not, nations are required to immediately begin dismantling of all nuclear weapons and weapons of mass destruction as required under world legislation. Nations shall work with the Executive Council of the World Disarmament Agency to ensure compliance. The terms of the disarmament schedule developed between a state, the Executive Council of the World Disarmament Agency, and the Transition Council are parts of the Transition Agreement.

14.3. A nation may request assistance for complying with the Transition Agreement. This may include assistance with civil/criminal law enforcement training for members of the armed forces of the respective nation, with a view toward the demilitarization of that state's armed forces.

If to deter perceived aggressive threats or instabilities from outside or from within a nation, the respective nation expresses a need for more civil police enforcement officers, the Transition Council may schedule an agreement to help increase the number of civil police enforcement officers, either at the world federal level or at any lower jurisdiction within that country. Earth Federation agencies shall comply with Transition Agreements approved by the Transition Council provided the agreements (or respective portions thereof) have not been countermanded by the World Parliament. Civil police enforcement officers at every level are responsible to respect human and civil rights as specified in the *Earth Constitution* and in world legislation.

Forms of assistance may include the following: 14.3.1. training of states' residents as world federal officers; 14.3.2. training of state member officers (including military officers, enlisted troops and civil police officers) in world federal law enforcement and cooperation; 14.3.3. assignment of world federal officers for special security assistance; 13.3.4. employment, including salaries for world federal officers; 13.3.5. equipment, including instruments of defense and munitions not prohibited under world legislation; 13.3.6. food, uniforms and other supplies.

14.4. Generally, military bases of military personnel undergo conversion to civil law enforcement. The bases may continue operation as civil police stations where law enforcement officers can receive training and serve duties. According to the transition agreement, military bases may convert either to operate as national civil police stations, as world federal civil police stations, or as a mix.

14.5. Although state members shall disclose weapons of mass destruction immediately, as per world legislative act number 34 (the Dismantling Procedure), troop position and movements, and troop equipment and supplies, including non-prohibited munitions amounts and locations, remains confidential during the

transition period, and is only disclosed to world federal authorities or others on a need-to-know basis. The Transition Council must not disclose this information through transition agreements, nor penalize national leaders or national governments for non-disclosure of this information, throughout the first operative stage of Earth Federation.

14.6. No later than 6 months after the attainment of the second operative stage, the Transition Council shall begin plans for drawdown of national military troop levels throughout the Earth Federation. The plans shall include provisions for a concomitant increase in world federal enforcement and World Ombudsmus officers or other public employment (such as the Earth Federation Service Corps) to offset loss of employment by former military personnel. By the end of the second operative stage, all military forces shall have disbanded or converted, as per *Earth Constitution* Article 17.4.6. At full operative stage, all regulations regarding confidentiality with regard to military troop numbers and positions cease to have effect.

14.7. Generally, financing of military base transitions is similar to the provisions made for the Guantánamo base transition, as described in world legislative act number 36. The Transition Council shall draw up a standard transition model for military base conversions, using the Guantánamo world legislation as a model.

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Adopted as moved 4:31 p.m., 14 December 2013. Attested by Eugenia Almand, Parliament Co-Secretary

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