Provisional World Parliament, 13th Session
World Legislative Act Number 59
Truth and Reconciliation Commissions Act

Short Title:

Truth and Reconciliation

Whereas, due to the deep complexity of the world we live in, and the immense internal and external pressures on individuals within all nations to compromise democratic principles, human rights, freedom, and/or equality in a world that is often a dog eat dog affair filled with dangers and temptations;
And due to the fact that many officials of nations have been compromised by pressures from gigantic corporate, nation-state, or criminal forces that treat the world as a field for exploitation and domination;
And due to the fact that the emerging Earth Federation is dedicated to establishing a new world system premised on peace, justice, equality, freedom, prosperity, and environmental sustainability;
And because the newly emergent Earth Federation will seek peace and reconciliation among all the world's actors;
We delegates of the 13th session of the Provisional World Parliament hereby establish the Truth and Reconciliation Bureau of the Earth Federation.

1. General definition for use by the Bureau: A truth and reconciliation commission (TR Commission) is tasked with discovering and revealing past wrongdoing by a government and/or non-state actors (depending on circumstances) with the goal of resolving conflict inherited from past injustices, conflicts, or perceptions of such conflicts and injustices. South Africa's Truth and Reconciliation Commission, established after the ending of apartheid, is often thought of as a model of such commissions. The purpose of commissions is to record an accurate and honest history of what happened (and not rewrite history in the service of some state or group), to clear the air through public testimonies and proceedings, and to balance forgiveness and reconciliation of past wrongs with a justice that is often demanded by victims of past wrongs. This is a difficult and delicate task but extremely important if the world is to move forward into a new era of peace with justice.

2. Qualifications and Statute of Limitations
The Earth Federation government does not see its duty as judging and punishing past wrongs within or between nations, but rather in establishing a system of peace with justice in which such wrongs do not occur in the future. Earth

Federation duty is not to play politics, and not to favor the rich or governments over the poor or marginalized groups, but to bring people together to overcome past resentments and perceptions through establishing an honest and objective historical record, through supporting efforts to bring fair and impartial justice, and through promoting forgiveness and reconciliation wherever possible.
For clarity in preservation of the principle of no *ex post facto* prosecution, Truth and Reconciliation commissions of the Earth Federation address cases for which the circumstances and transgressions pre-date the development of the World Penal Code provisions of the World Peace Act (penal provisions **effective date 22 September 2003**), or for which the circumstances and transgressions otherwise pre-date the respective provisions of the World Penal Code and world legislation (World Penal Code effective date:
28 December 2003). As per World Legislative Act #1, Article 6, certain bomb prohibition provisions have an effective date of **11 March 1983**, though without sentencing provisions.
Truth and Reconciliation Commissions shall address the sentencing portion of criminal case convictions arising from criminal activities codified by the Provisional World Parliament committed during the interim period from 11 March 1983 until the respective criminal activities sentencing parameter effective date assigned by the World Parliament (22 September 2003 in most cases.)
The World Attorneys General may prosecute world crimes committed later than the dates of the respective sentencing-parameter effective date but before the beginning date of the first operative stage of Earth Federation. However, based upon plea bargaining, transition plans, and other factors, the World Attorneys General may refer cases for disposal by a Truth and Reconciliation Commission. Combined majority vote of the Regional World Advocates may decline the formation or operation of the TR Commission for particular cases. The 5 World Ombudsen shall vote in case of a tie among the Regional Advocates.
The World Attorneys General may investigate and prosecute world crimes committed later than the date of preliminary or final ratification for any nation or world administrative district, rather than depend upon TR Commissions for conducting the investigation.

3. After the first operative stage of the Earth Federation has commenced, the World Financial Administration shall fund each nation or nations within or without the Federation who request this service to establish a truth and reconciliation commission.

4. The Truth and Reconciliation Bureau is a Department of the World Ombudsmus. The World Ombudsmus shall establish at least one office of the Bureau within each World Region. Each commission shall report quarterly to their respective World Advocate and to the respective Regional Bench for

Human Rights Cases, including a prospective budget for operation of the commission within the region. The Bench for Human Rights Cases shall report quarterly to the World Financial Administration, itemizing budgets for costs of conducting public hearings.

5. A Truth and Reconciliation Fund is hereby created. The World Advocates shall include budgeting provisions and report of expenses for their respective TR commissions to the World Financial Administration and to the Presidium. The World Financial Administration shall fund the Bureau using Earth Currency according to the World Parliament allocation to the fund, rather than in hard currencies.
The World Financial Administration shall fund the Regional or District Bench for Human Rights for the costs of conducting the public hearings.

6. The Bureau shall hire experts and scholars in the area of truth and reconciliation as needed to effectively accomplish the work. The Bureau shall establish a public on-line library of resources and ideas for TR Commission work.

7. The Bureau shall cooperate where appropriate with the Department of Conflict Resolution that operates under the authority of the World Attorneys General so as to promote peace in general and to not duplicate efforts. In general, the latter will deal with conflicts between groups not requiring the more elaborate apparatus of establishing a correct historical record, public hearings of past wrongs, and possible legal administration of justice.
Any nation or nations (within or without the Federation) may voluntarily seek help or advice from the Bureau about establishing a TR commission.

8.1 The World Ombudsmus may also establish Truth and Reconciliation Commissions between nations, between groups of nations, and/or between Federation and non-Federation nations.
8.2. Nations seeking aid with a TR commission may choose between two options:
8.2.1. Nations may request that the Bureau set up and organize the commission for them; or
8.2.2. Nations may request advice and funding from the Bureau to set up a TR commission for themselves. In either case, strict financial accountability is required.

9. The Bureau shall offer a variety of models by which nations can set up Truth and Reconciliation Commissions for their own needs. If nations request that the Bureau undertake this task, the Bureau shall study the situation. The Bureau shall

report to the nation and to the Office of World Ombudsmus within six months of the national request regarding any decision to act. If the Bureau and World Ombudsmus accepts the need for the TR Commission, the Bureau shall, within six months, set up a model that is best suited to that situation.

10. For conducting TR case public hearings, Truth and Reconciliation Commissions shall file suit with the Bench for Human Rights Cases. TR Commissions shall include estimates of time needed for providing the public testimony. The Human Rights Bench shall respond within 60 days, assigning dockets to Regional or District Courts of the Human Rights Bench. If these Courts are not yet operating, the Bench shall provide judges for the District, and may rent chambers in a location most suitable for the hearings. TR Commissions are enjoined to observe the regulations and procedure of the Human Rights Court (World Legislative Act #15). TR Commissions and the Human Rights Court shall honor Transition Agreements and other World Amnesty Agreements that have been approved by the World Parliament. These agreements provide conditional protection against prosecution in the World Bench for Criminal Cases. However, no one is immune from summons or subpoena to testify in cases of the Human Rights Court.

11. Prior to the first operative stage of the Earth Federation, the Provisional World Government under the *Earth Constitution* shall, to the best of its resources, promote truth and reconciliation commissions worldwide.

12. The Truth and Reconciliation Commissions created and empowered by the Bureau shall regulate their own affairs.

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Adopted as amended, 1:34 pm, 16 December 2013

IOWP fax: 1-540-831-5919