

Current Concerns

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United Nations Conference on the World Financial and Economic Crisis

Opening Session Address of H.E. Miguel D'Escoto Brockmann, President of The United Nations General Assembly, New York, 24-30 June 2009

My dear Presidents, Prime Ministers, Ministers for Foreign Affairs, Excellencies, Mr Secretary-General, Brothers and Sisters all,

We, the representatives of States and Governments of the world, are meeting at the United Nations because we are going through a most singular moment in human history when our common future is at stake. We are citizens of different nations, and the same time, we are citizens of the planet; we all have multiple and interdependent relationships with each other.

Noah's ark that saves us all

At this critical moment, we must all join our efforts to prevent the global crisis, with its myriad faces, from turning into a social, environmental and humanitarian tragedy. The challenges of the various crises are all interconnected and oblige us all, as representatives of the peoples of the Earth, to declare our responsibility one to another, and that together, with great hope, we will seek inclusive solutions. What better place than this United Nations General Assembly Hall to do so. This is the hall of world democratic inclusiveness par excellence, the Headquarters of the G-192. Obviously, each State has the option of determining its level of participation, in accordance with the importance it attaches to the topic of each meeting.

It is neither humane nor responsible to build a Noah's Ark only to save the existing economic system, leaving the vast majority of humanity to their fate and to suffer the negative effects of a system imposed by an irresponsible but powerful minority. We must take decisions that affect us all collectively to the greatest extent possible, including the broad community of life and our common home, Mother Earth.

Overcoming the past and building the future

First of all, we must overcome an oppressive past and forge a hopeful future. It must be acknowledged that the current economic and financial crisis is the end result of an egoistical and irresponsible way of living,



The General Assembly in New York before the opening of the conference. "We have built a globalized economy. Now is the time to create globalized policy and ethics based on the many cultural experiences and traditions of our peoples." (photo emf)

producing, consuming and establishing relationships among ourselves and with nature that involved systematic aggression against Earth and its ecosystems and a profound social imbalance, an analytical expression that masked a perverse global social injustice. In my opinion, we have reached the final frontier. We seem to have reached the end of the road travelled thus far, and if we continue along this way, we could arrive at the same destiny which has already befallen the dinosaurs.

Therefore, controls and corrections of the existing model, while undoubtedly necessary, are insufficient in the medium and long term. Their inherent ability to address the global crisis has proven to be weak. Stopping at controls and corrections of the model would demonstrate a cruel lack of social sensitivity, imagination and commitment to the establishment of a just and lasting peace. Egotism and greed cannot be corrected. They must be replaced by solidarity, which obviously implies radical change. If what we really want is a stable and lasting peace, it must be absolutely clear that we must go beyond controls and corrections of the existing model to create something that strives towards a new paradigm of social coexistence.

From this perspective, it is essential to seek what the *Earth Charter* calls "a sustainable way of life". This implies a shared vision of the values and principles promoting a particular way of inhabiting this world that guarantees the well-being of present and future generations. As great as the danger we all face from the convergence of these various problems is, the opportunity for salvation that the global crisis is helping us or forcing us to discover is even greater.

We have built a globalized economy. Now is the time to create globalized policy and ethics based on the many cultural experiences and traditions of our peoples.

Mother Earth and global ethics

A new ethic assumes a new way of seeing. In other words, a different vision of the world also creates a different ethic, a new way for us to relate.

The viewpoint that comes to us from the so-called earth sciences, that the Earth is contained within a vast, complex and evolving cosmos, must be incorporated. This Mother Earth, the term approved by the General Assembly this past 22 April, is alive. Mother Earth regulates herself, maintaining the subtle equilibrium among the physical, chemical and biological in such a way that life is always favoured. She produces a unique community of life from which the community of human life – humanity – emerged, as the aware and intelligent part of the Earth herself. This contemporary concept agrees with the ancestral vision of humanity and of the native peoples for whom the Earth always was and is venerated as Mother, Magna Mater, Inana, Tonantzin, as the Náhuatl of my country, Nicaragua, call it, or Pacha Mama, as the Aymaras in Bolivia name it.

There is a growing awareness that we are all sons and daughters of Earth and that we belong to her. As President *Evo Morales* has reminded us many times, she can live without us, but we cannot live without her. Our mission as human beings is to be the guardians and caretakers of the vitality and integrity of Mother Earth. Unfortunately, because of our excessive consumption and wastefulness, Earth has exceeded by 40 per cent her capacity to replace the goods and services she generously offers us.

This vision of the living Earth is attested to by the astronauts who, from their spacecraft, acknowledged in wonder that Earth and humanity constituted a single reality. They were experiencing what is known as the "overview

effect", the perception, that we are so united with the Earth that we ourselves are the Earth: the Earth that feels, thinks, loves and worships.

This perspective gives rise to respect, veneration and a sense of responsibility and care for our common home, attitudes that are extremely urgent in the face of the current general degradation of nature. From this new perspective a new ethic is born. A new way for us to relate with all those who live in our human abode and with the nature that surrounds us. Today, ethics are either global or they are not ethics.

Axioms of an ethics of the common good

The first affirmation of this global ethic consists in declaring and safeguarding the common good of the Earth and humanity. We will start with the assumption that the community of peoples is simultaneously a community of common goods.

These cannot be appropriated privately by anyone and must serve the life of all in present and future generations and the community of other living beings.

The common good of humanity and the Earth is characterized by *universality* and *freedom*. That is to say, all persons, peoples and the community of life must be universally involved. No one and nothing can be excluded from this global common good. Furthermore, by its nature, it is freely offered to all and therefore, cannot be bought or sold nor be an object of competition. Moreover, it must be continuously available to all, otherwise the common good would no longer be common.

What are the fundamental goods that constitute the common good of humanity and the Earth? The first is undoubtedly the Earth itself. Who does the Earth belong to? The Earth belongs, not to the powerful who appropriate its goods and services, but to all the ecosystems that make up the whole. It is a gift of the universe that arose out of our Milky Way from an ancestral sun which disappeared long ago which was at the origin of our sun around which the Earth revolves as one of its planets. By virtue of the fact that it is alive and generated all living beings, it has dignity (*dignitas terra*). This dignity demands respect and veneration and endows it with rights: the right to be cared for, protected and maintained in a condition where it is able to continue producing and reproducing lives.

We still need to recognize that the globalized means of production, in their industrial voracity, have in large measure devastated the Earth and thus have also damaged the common good of Earth and humanity. We must urgently seek other paths that are more humane and more favourable towards life: the paths of justice and solidarity which lead to peace and happiness.

Next we have the Earth's biosphere as the common heritage of all life, with humanity as its guardian. It belongs to the common

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good of humanity and the Earth, as stated at the 1972 United Nations Conference on the Human Environment: “the natural resources of the earth, including the air, water, land flora and fauna and especially representative samples of natural ecosystems”.

Water, oceans and forests in particular belong to the common good of humanity and the Earth. Water is a natural resource that is common, essential and for which there is no substitute, and all have the right of access to it independent of the costs involved in its collection, storage, purification and distribution, which will be borne by governments and society. Therefore, the eagerness to privatize it and turn it into merchandise that can bring in plenty of money is of great concern to us. Water is life, and life is sacred and should not be traded. This Assembly wishes to support efforts to conclude an International Water Covenant for collective management that will guarantee this vital resource to all.

The same can be said of forests, especially tropical and sub-tropical forests, where the greatest biodiversity and humidity necessary to Earth’s vitality are concentrated. The forests prevent climate change from making life on the planet impossible by capturing major amounts of carbon dioxide. Without forests there would be no life and no biodiversity. The oceans serve as the great repository of life, regulate the climate and balance the physical and chemical base of the Earth. Forests and oceans pose questions of life, not just the environment.

The Earth’s climates belong to the common good of humanity and the Earth. General Assembly resolution 43/53 of 6 December 1988 on “Protection of global climate for present and future generations of mankind” recognizes that climates are a common concern of mankind since “climate is an essential condition which sustains life on earth”. The Intergovernmental Panel on Climate Change, best known by its English acronym IPCC, believes that “climate change affects humanity as a whole and should be confronted within a global framework of shared responsibility”.

But the greatest common good of humanity and the Earth is humanity as a whole. It has supreme intrinsic value and represents an end in itself. It is part of the kingdom of life, highly complex, capable of consciousness, sensitivity, intelligence, creative imagination, love and openness to All. In all cultures the clear perception exists that humanity bears an inviolable dignity. Those who wage war and build instruments of death that can eliminate human life from the face of the Earth and severely damage the biosphere are committing crimes against humanity.

Therefore, my dear brothers and sisters, we must wait no longer. We must proceed without delay to the complete abolition of nuclear weapons, not simply their reduction or non-proliferation. A standard of zero tolerance for nuclear weapons must be established urgently and decisions in this area can no longer be deferred. We are living at a propitious time for this and we must not fail to take advantage of it. Neither can the world continue to tolerate the obscenity of ever more astronomical arms spending while offering absurdly low amounts to lift half of humanity from inexcusable levels of poverty that, furthermore, are a time bomb against all societies. Violence creates violence, and keeping people hungry and at sub-human levels of existence is the worst form of violence.

Strategies for overcoming the crises

At this time in history, with the global crisis and for the sake of the common good of the Earth and humanity, we must take collective short- and medium-term action to keep society functioning on the one hand, and to set a foundation for new forms of sustainable living on the other. Five essential elements could give coherence to new initiatives that seek to construct alternatives and to guide the many practices that will be discussed over the next few days in the General Assembly.

First: the responsible and *sustainable use* of limited natural resources. This means moving beyond exploitation and strengthening a relationship of respect and synergy with nature.

“We have to use our combined strengths and intelligence”

The current multidimensional crisis demands immediate responses as well as long term planning in support of the poorest, especially in Africa. We have to use our combined strengths and intelligence to address problems of injustice, poverty, vulnerability and exclusion. We need to make our economic, financial and aid systems more transparent, inclusive and participatory, notably through a firmer integration of the emerging economies. Improved development cooperation is essential.

We are placing our trust in reformed international financial institutions and in their central role to ensure the sta-

bility of the financial and economic systems. Let us do the same with the UN, which was founded in a humanistic tradition aiming at a better world for all. The Chief Executive Board has outlined nine joint initiatives, which address the multiple facets of the crisis on the basis of the individual mandates and responsibilities of the UN organisations. We highly commend this approach, which commits the UN organisations to policy coherence and coordination for a quick and effective response to the crisis.

Source: Extract from the statement of Martin Dahinden, State Secretary for Development Cooperation of Switzerland (Deza)

Second: putting the *economy* back in its proper place in society as a whole by abandoning the reductionist vision which had made it the main focus of human coexistence. The economy should respect values but not be a source of values; it should be seen as the activity that lays the foundation for the physical, cultural and spiritual life of all human beings on the planet, while respecting social and environmental norms.

Third: to spread democracy to all social relations and institutions. It should not only be applied and strengthened in the political arena, with a new definition of the State and of international organizations, but also extended to the spheres of economics, culture and the relationship between men and women so that it becomes a universal value and democracy is permanent.

Fourth: to build a *minimum ethos* on the basis of multicultural exchange and the philosophical and religious traditions of peoples, so that they can participate in defining the common good of humanity and the Earth and in developing new values.

Fifth: to strengthen a spiritual vision of the world that does justice to man’s search for a transcendent meaning of life, of the creative work of human beings and of our brief appearance on this small planet. Personal, social and planetary well-being can only be achieved if these five essential elements are made real. This is made possible by an economy that makes sufficient and decent provision for the whole community, where human beings live in harmony with each other, with nature and with the Whole of which we are a part. These are the foundations for *biocivilization* which gives a central role to life, the Earth and humanity, whose citizens are sons and daughters of joy rather than of need.

Four fundamental ethical principles

All these challenges cannot be adequately addressed unless we change our minds and our

hearts and create space for the emergence and development of other essential aspects of the human being. The exclusive and excessive use of instrumental analytical reasoning in modern times has made us deaf to the call of the Earth and insensitive to the cries of the oppressed who constitute the vast majority of humanity. In the innermost part of our human nature we are beings of love, solidarity, compassion and sharing. This is why we must enhance our analytical reasoning with sensitive, emotional and heartfelt reasoning, which is the source of the values mentioned.

The common good of humanity and the Earth is a dynamic reality that is constantly evolving. Four ethical principles are important for keeping it alive and open to further development.

The first ethical principle is *respect*. Every being has intrinsic value and can serve the good of humanity if guided not by purely utilitarian ethics, such as those which predominate in the current socioeconomic system, but rather by a feeling of mutual belonging, responsibility and conservation of existence.

The second is *care*. Care implies a non-aggressive attitude to reality, a loving attitude which repairs past harm and avoids future harm and, at the same time, extends into all areas of individual and social human activity. If there had been sufficient care, the current financial and economic crisis would not have occurred. Care is intrinsically linked to maintaining life, because when there is no care, life weakens and disappears. The oriental expression of care is compassion, which is so needed these days when much of humanity and the Earth itself are being battered and crucified in a sea of sufferings.

In a market society which is driven more by competition than cooperation, there is a cruel lack of compassion towards all suffering beings in society and in nature.

The third principle is collective *responsibility*. We are all dependent on the environment

and interdependent. Our actions can be beneficial or harmful for life and for the common good of the Earth and humanity. The many crises now occurring are largely the result of a lack of responsibility in our collective projects and practices which has led to a global imbalance in markets and in the Earth system.

The fourth principle is *cooperation*. If we do not all cooperate, we are not going to emerge stronger from the current crises. Cooperation is so essential that in the past it enabled our anthropoid ancestors to make the jump from animality to humanity. When they had food, they did not eat individually but brought everything to share with everyone in the group in cooperation and solidarity. What was essential in the past is still essential in the present.

Lastly, there is a belief which pertains to the common good of humanity, a belief that comes from spiritual traditions and is affirmed by contemporary cosmologists and astrophysicists, that behind the whole universe, every being, every person, every event and even our current crisis, there is a fundamental energy at work, mysterious and ineffable, which is also known as the nurturing source of all being. We are sure that this nameless energy will also act in this time of chaos to help us and empower us to overcome selfishness and take the action needed so there is no catastrophe, but an opportunity for creating and generating new forms of coexistence, innovative economic models and a higher sense of living and living together.

Conclusion: This is not a tragedy but a crises

In conclusion, I would like to place on record my deep conviction that the current scenario is not a tragedy but a crisis. Tragedy has a bad outcome, with an Earth that is damaged, but can continue without us. Crisis purifies us and forces us to grow and find ways to survive that are acceptable for the whole community of life, human beings and the Earth. The pain we now feel is not the death rattle of a dying man but the pain of a new birth. So far we have fully exploited material capital, which is finite, and now we have to work with spiritual capital, which is infinite, because we have an infinite capacity to love, to live together as brothers and to penetrate the mysteries of the universe and the human heart.

As we all have our origin in the heart of the great red stars where the elements that form us were forged, it is clear that we were born to shine our light and not to suffer. And we will shine our light again – that is my strong expectation – in a planetary civilization which is more respectful of Mother Earth, more inclusive of all people and with more solidarity with the poorest, which is more spiritual and full of reverence for the splendour of the universe and which is much happier.

With these words, our discussions at this very important Conference on the world financial and economic crisis have begun. In providing a context for these issues, I wish to emphasize that we will have to set aside all selfish attitudes if we are to take advantage of the opportunities that the current crisis offers. Such attitudes only seek to preserve a system which seems to benefit a minority and clearly has disastrous consequences for the vast majority of the inhabitants of the planet. We must arm ourselves with solidarity and cooperation in order to make a qualitative leap forward to a future of peace and well-being.

Allow me, dear brothers and sisters, to conclude this reflection with the words of the Holy Father, Pope *Benedict XVI*, for this Conference:

“I invoke upon all of the Conference participants, as well as those responsible for public life and the fate of the planet, the spirit of wisdom and human solidarity, so that the current crisis may become an opportunity, capable of favouring greater attention to the dignity of every human being and the promotion of an equal distribution of decisional power and resources, with particular attention to the unfortunately ever-growing number of poor”.

Thank you very much. •

Source: www.un.org/ga/econcrisissummit

Europäische Arbeitsgemeinschaft



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Voices of G-192 Must Be Heard

by Dr Eva-Maria Föllmer-Müller

From June 24 to 30 the UN Conference on the World Financial and Economic Crisis and its impact on development took place in New York. Miguel d'Escoto Brockmann, President of the General Assembly, had invited the 192 Member States of the UNO – calling them G-192 with reference to the G-8 or G-20 –, to this conference “at the highest level”. Mandated by last Decembers’ international Review Conference on Financing for Development in Doha, Qatar. Owing to the pressing situation, especially in the developing countries, some Member States had requested the President of the General Assembly to organise this conference. Within a mere seven months the President of the General Assembly succeeded in bringing together not only the G-192, but key representatives of the civil society and the private sector, as well as members of the UN system.



Human beings and peoples will discover and accept each other as brothers and sisters, as a family and as a single species capable of love, solidarity, compassion, non-violence, justice, fraternity, peace and spirituality. (photo keystone)

The Presidential expert commission chaired by economist and Nobel Laureate Joseph Stiglitz, the so-called “Stiglitz-Commission” had submitted a preliminary report on the reforms of the international money and financial system as well as negotiated a draft with all the member states, which subsequently served as the basis for the drafting of a conference outcome document.

Equal rights for everyone in developing solutions

With the conference a process was initiated, a dialogue, in which not only the G-20 countries participated but the entire international community. Each country had equal opportunities in being heard. Exemplary the President of the General Assembly attended to the representatives of each country and listened to them; there was no hurry. Because of the flood of contributions the conference was even extended by another two days.

Parallel to the statements of the individual countries in the General Assembly, four round table discussions took place with the overall theme “examining and overcoming the deepening world financial and economic crisis and its impact on development”. In this frame the individual representatives of the countries were able to take part in discussions on e.g. “the role of the United Nations and its Member States in the ongoing international discussions on reforming and strengthening the international financial and economic system and architecture” (round table 1). Or on the theme “coordinated and collaborative actions and measures to mitigate the impact of the crisis on development” (round table 2). The third round table dealt with “present and future impacts of the crisis on inter alia, employment, trade, investment and development of goals and the millenium development goals”.

The theme of the fourth round table was “contributions of the United Nations development system in response to the crisis”.

The beginning of a dialogue

The President of the General Assembly and Joseph Stiglitz contended strongly for peoples to be treated as equal and sovereign partners in rejection of powerful financial blocs or the domination of individual industrialised nations.

In the run up to the conference nothing was left out to belittle this conference, that was not wanted. In the background there were fierce battles, the members of the G-20 would have preferred to do without it. But the President of the General Assembly was not impressed by this. Nor was he impressed by reproaches that there were not any heads of state present but one. His retribution: “It is not important who is coming but on what we will come to agree on in the end, what will be initiated.”

The majority of the representatives and especially the members of the developing countries that spoke in the General Assembly expressed their gratefulness for this conference to the President.

The conference is a very promising beginning of an urgently necessary dialogue on equal terms in the world. It became evident that the current economies were based on exploitation, competition, egoism and greed, established predominantly by the Western countries and have had their days.

An economy is needed that is guided by ethical principles, in solidarity, cooperation, coherence, justice and transparency, an economy, centred on the individual human being.

How much longer does the Western world want to continue to demonstrate arrogance and ignorance?

Unfortunately not all the representatives want to do without it. A representative from Sweden, which took over the EU presidential leadership on July 1, attracted attention in the conference with his incredible sharpness in his statement in one of the round table discussions. The Swedish representative arrogantly determined positions: EU and G-20 should have the say, the UN should be limited to look after the developing countries. Stefano Manservigi, General Director of the European Commission on Development, openly claimed EU leadership in the global reaction to the crisis: “Europe has shown, is showing and will be showing, that it will take the lead.”

The conflicts between the EU, the industrialised countries of the G-20 with IMF and World Bank and WTO on the one side and the UN with the G-77 (the alliance of initially 77, today over 130 countries) together with delegates from the civil society on the other side, were perceptible in the conference. IMF and the World Bank made attempts however to ensure, that they will put into effect the requested reforms, in order to pronounce their willingness to cooperate.

Nonetheless: many developing countries, as well as the representatives of the civil society expressed their criticism towards IMF, the World Bank and WTO. Particularly the representatives from African countries have had their experiences with these institutions and criticised their inequality and horrendous financial misuses: From allocated moneys often, if at all, only some 20% reach their place of destination. The remaining 80% disappear somewhere.

Latin America: Cooperation and cohesion versus competition

Most impressive were the voices of the Latin American countries. They are to be explicitly mentioned here. They stress: We cannot serve the poorest countries with a competition economy. What is needed all the more is solidarity, is cooperation and cohesion.

Those, who have caused the crisis can not take part in the solving of the crisis, says the President of the Republic of Ecuador, economist Rafael Correa in his well noted speech before the General Assembly. Some time ago, during his presidency, his country has rejected to repay debts based on criminal machina-

tions, which has meanwhile been accepted by almost all countries.

The President of Ecuador said: “We all know it: The crisis originated in the financial markets of the US, but it is not just a crisis any more and has contaminated the whole world. And it has become obvious that the South, who does not carry any responsibility for this crisis, has to bear the brunt. For years the United States maintained huge trade and fiscal deficits – with the connivance of the International Monetary Fund. Any other country would have been forced to devalue their currency and to ‘correct’ its imbalances. In this case, however, double standards, which are prevailing amongst the leadership of the IMF, led them to choose complicity, which resulted in unhinging capitalism. And now the G-20 are about to recapitalise it just like that without any reshuffle within the board.”

The criticism is justified. At the G-20 summit they agreed to strengthen the IMF and the World Bank and to assign them with the central role of finding a solution for the financial crisis in the developing and emerging countries.

In his speech after the press conference the President of Ecuador held his position: When asked about the oil fields in his country he said that the worst lay behind them. The oil fields had been returned from foreign ownership to the state’s ownership. “The oil belongs to the country”, he stated, and he was appalled when he said: “Sometimes we were even not allowed to set foot on our own oil fields.” Meanwhile oil prices have improved in his country. Trade and contracts are only possible with friendly states and only on an equal footing. He said: “We don’t ask for charity but equality.”

At the “High Level Panel” with the topic “Peoples Rights not Corporate Profits”, which was organised by representatives of the civil society, the President of Ecuador denounced “Washington’s Consensus” as undemocratic: “Four to five institutions representing power determine and call this ‘consensus’? What kind of consensus is that about which the others are not even questioned? This is the arrogance of the hegemony of power.”

For this he received standing ovations by all people present. It is unacceptable that today capital has more rights than the people; people, man must come first.

The main reason for the poor countries’ instability has been the freedom of capital movement. According to Correa the neo-liberal paradigm with its individualism has collapsed. When you look at history, it was not the countries with a free and open market that developed but the countries in which the state protected its economy.

Cuba’s representative criticised that there had not been any discussion about a real reform of the global financial system at the G-20 meeting. He demanded an intensive dialogue with all members of the world community. The international financial system was anti-democratic and urgently needed re-

forming. A solution of the crisis will only be possible if the interests of all countries are taken into account. He as well talked about a paradigm in which men took centre stage.

The representatives of Venezuela acceded to this criticism: Neo-liberal forces are the cause of the crisis. The effects are devastating: unemployment, capital drain, loss of self respect and trust in the future. The poorest and most vulnerable suffer most. The IMF sets absolutely immoral conditions. The IMF and World Bank should be told to close their doors and leave it to others to erect a new financial architecture. The dollar ought to be abolished.

Venezuela has broken loose from the neo-liberal grasp and is free today. Regional and sub-regional affiliations with Nicaragua, Saint Vincent and the Grenadines, Barbados and Ecuador in ALBA stand for the welfare of the participating peoples. They cooperate in equality, solidarity, complementary and fraternity with all people

in the world. Hence there is freedom based on social justice.

The representatives of Guyana drew the attention to the missing equal treatment of small countries: Very often smaller countries are seen as negligible, as their failure would be affordable.

The representatives of Nicaragua called to mind that the crisis had started only a few blocks away from the UN, on Wall Street.

Moreover, the conference demanded a solution for the enormous debts which are suffocating developing countries. The World Bank estimates that 40 countries are moving towards a debt crisis.

A first step

The task to work out a consensus paper which involved all countries was not easily solved. But it was accomplished. The consensus paper reminds the industrial countries of their agreements at the G-20 summit to stimulate the world economy with one billion dollars. It further demands that a bigger share of it should go to the developing countries. It also stresses the necessity to deal with the problem of debts and capital drain. International financial institutions needed urgent overhaul, and the UN should have more impact in future negotiations.

Most of all the process had to be continued: The General Assembly was asked to create an open-ended working group which followed up on all issues raised.

The President of the General Assembly called the final document “the first step in a long process of putting the world on a new path towards solidarity, stability and sustainability.”

Furthermore he said: “I have been encouraged that so many of you talked about the necessity to revitalize the moral component of Global Governance – our duty and shared responsibility to integrate moral considerations into our economical, financial, political and social decision making procedures. Many decision makers of our tough and financial and business world do not always take this adequately into account.”

Man comes first

At this conference Miguel d’Escoto Brockmann, many Latin American countries, the G-77 countries and the Holy See emphasised the necessity that men have to be placed into the centre: man comes first and then economy.

Pope Benedict XVI. had asked the states to participate in this conference and to search for solutions for the financial crisis together. The statements of the Holy See during the conference were beneficial. The Holy See representative raised the question: What is the human person? He said: Man comes first, then all theories. He stressed the significance of ethics; and that any economy was nothing without ethics. And he asked: How could we change the logic of economical thinking accordingly? ●

The First Step in a Long Process of Putting the World on a New Path towards Solidarity, Stability and Sustainability

Adress by Miguel D'Escoto Brockmann, President of the General Assembly, upon adoption of the outcome document of the United Nations Conference on the World Financial and Economic Crisis and Its Impact on Development

Excellencies, United Nations Colleagues, Representatives of Civil Society, Brothers and Sisters all,

We have come to the middle of the third day of this historic United Nations Conference on the World Financial and Economic Crisis and Its Impact on Development. I congratulate you all for successfully initiating the global conversation on the economic crisis that continues to unfold around us and for beginning an indepth, unprecedented review of the international financial and economic architecture.

The world has had the opportunity to hear the voices of the G-192. All the Members of the General Assembly have had and continue to have the chance to express their points of view. Today our efforts have culminated in the adoption by consensus of an outcome document that represents the first step in a long process of putting the world on a new path towards solidarity, stability and sustainability.

The United Nations General Assembly, the G-192, has now been established as the central forum for the discussion of world financial and economic issues, and this in itself is a major achievement. In addition, the General Assembly has been asked to follow up on these issues through an ad hoc open-ended working group.

The issues to be followed up range from crisis mitigation – including global stimulus measures, special drawing rights (SDRs) and reserve currencies – to topics such as the restructuring of the financial and economic system and architecture, including reform of the international financial institutions and the role of the United Nations; external debt; international trade; investment; taxation; development assistance; South-South cooperation; new forms of financing; corruption and illicit financial flows; and regulation and monitoring.

At the same time, it has been recognized that the financial and economic crisis must not delay the necessary global response to climate change and environmental degradation through initiatives for building a «green economy».

The G-192 has proved itself capable of reaching consensus on the convening and modalities of this Conference and on a substantive outcome document that addresses issues of great importance to humanity.

It has also been able to chart a course for carrying the process forward on the basis of the lines of action set out in the Conference outcome document.

We have had three days of very successful work and, now that the outcome document has been formally adopted, it is only fitting that we salute each other's efforts and, in particular, that we congratulate the two facilitators, Ambassador *Frank Majoer* of the Kingdom of the Netherlands and Ambassador *Camilo Gonsalves* of Saint Vincent and the Grenadines. Of course, we also express our warmest thanks to the President's Commission of Experts, which was so ably coordinated by Professor *Joseph Stiglitz*.

We are happy but not content, or rather, not completely satisfied. Other crises loom on the horizon, such as the clean water, global warming, food, energy and humanitarian crises affecting millions of our brothers and sisters, especially children suffering from hunger and thirst.

We must all join forces to confront these crises. The proposals we have adopted today point in this direction. But much remains to be done.

We are heartened by the expressions of political will to shoulder our shared responsibility to cooperate, but we will not be content so long as these pressing issues remain unresolved.

My role as President of this General Assembly, which brings together representatives of all the world's peoples, is to invite you to look beyond today's economic concerns and

to hold out hope for the common future of the Earth and of humanity.

We may well ask, what next? Not necessarily in terms of the economy, but in terms of humanity. Where are we headed? At this point it is unlikely that anyone, however wise, can answer this question with certainty. But even without having the answers, we can all seek and build together the consensus that will lead us towards a more hopeful future for us all and for Mother Earth.

This reminds me of the vision of the great French scientist, archaeologist and mystic *Pierre Teilhard de Chardin*. In China, where he carried out his research on "Homo pekinensis", he had something like a vision.

Looking at the advances in technology, trade and communications that were shortening distances and laying the foundations for what he liked to call planetization, rather than globalization, Teilhard de Chardin was already saying, in the 1930s, that we were witnessing the emergence of a new era for the Earth and for humanity.

What was about to appear, de Chardin told us, was the noosphere, after the emergence in the evolutionary process of the anthroposphere, the biosphere, the hydrosphere, the atmosphere and the lithosphere. Now comes the new sphere, the sphere of synchronized minds and hearts: the noosphere.

As we know, the Greek word noos refers to the union of the spirit, the intellect and the heart.

Where are we headed? I venture to believe and hope that we are all headed towards the

slow but unstoppable emergence of the noosphere. Human beings and peoples will discover and accept each other as brothers and sisters, as a family and as a single species capable of love, solidarity, compassion, non-violence, justice, fraternity, peace and spirituality.

Is this a utopia? It is undoubtedly a utopia, but a necessary one. It guides us in our search. A utopia is, by definition, unattainable. But it is like the stars: They are unreachable, but what would the night sky be without stars? It would be nothing but darkness and we would be disoriented and lost. A utopia likewise lends direction and purpose to our lives and struggles.

The noosphere, then, is the next step for humanity. Allow me a small digression: if, in the time of the dinosaurs, which inhabited the Earth for more than 100 million years and disappeared some 65 million years ago, a hypothetical observer had wondered what the next evolutionary step would be, he probably would have thought: more of the same. In other words, even bigger and more voracious dinosaurs.

But that answer would have been wrong. That hypothetical observer never would have imagined that a small mammal no bigger than a rabbit, living in treetops, feeding on flowers and shoots and trembling at the possibility of being devoured by a dinosaur, would eventually become our ancestor.

From that creature, millions of years later, emerged something completely new, with qualities totally different from those of the di-

nosaurus, including a conscience, intelligence and love: the first human beings, from whom we who are gathered here are descended.

And so it was not more of the same. It was a break, a new step.

I firmly believe that today we are once again on the threshold of a new step in the evolutionary process: a step towards a human family that is united with itself, with nature and with Mother Earth.

I am tempted to echo the words: "I have a dream!" It is, indeed, a dream. A glorious, beautiful, happy dream.

The main focus of this new step will be life in all its forms, humanity with all its peoples and ethnic groups, the Earth as a mother with all its vitality and an economy that creates the material conditions for making all this possible. We will need the material capital we have built up, but the focus will be on human and spiritual capital, whose most wholesome fruits are fraternity or brotherhood, cooperation, solidarity, love, economic and ecological justice, compassion and the capacity to coexist happily with all our differences, in the same shared home, the great and generous Mother Earth.

They say that *Jesus, Buddha, Francis of Assisi, Rumi, Tolstoy, Gandhi, Dorothy Day, Martin Luther King* and many other great prophets and teachers of the past and present, of which every country and culture has an exemplar, were ahead of their time in taking this new step.

They are all our most formative teachers, our lodestars, who fan the flame of hope that assures us that we still have a future, a blessed future for all of us.

As our dear brother *Joseph Stiglitz* aptly put it: "The legacy of this economic and financial crisis will be a worldwide battle of ideas."

I firmly believe that new ideas, new visions and new dreams will galvanize our spirits and our hearts. The old gods are dying out, and new ones are emerging with the vigour of newborn infants. My reflections are meant to bring energy and enthusiasm to this battle of ideas and visions.

If we humans are to take a qualitative leap forward, we must give up our quest to become the lords and masters of creation, forgetting that we are not owners but only caretakers, which, after all, is no small thing.

Only when we accept the fact that we are caretakers and not owners and that we will one day be held to account for our stewardship will the grandeur of our humanity shine forth.

Thank you.

Source: www.un.org/ga/econcrisisummit

"Redirection towards the Principles of Justice, Solidarity and Subsidiarity"

Mr President,

The Holy See welcomes this opportunity to comment on the recommendations now emerging from the discussions that have been taking place on the impact of the global financial and economic crisis on developing countries. In doing so, we applaud again the initiative taken by the UN over the past months to include its entire membership in the discussions.

We must not forget that it is poor people both in developed and in developing countries who suffer most and who are least able to defend themselves against the impact of this crisis. Loss of jobs in the former and lack of access to employment, food, basic healthcare and education facilities in the latter are a daily daunting reality. At the conclusion of the Development Committee meetings in late April, the *World Bank* estimated that an additional 55–90 million people will now be trapped in extreme poverty in 2009, especially women and children; meanwhile, the number of chronically hungry people is expected to climb to over 1 billion individuals this year. Moreover, prospects for overcoming extreme poverty by 2015 by way of the eight globally agreed Millennium Development Goals have also receded.

Consequently, for the Holy See, there is, first and foremost, a compelling moral obligation to address these worsening social and economic disparities which undermine the basic dignity of so many of the world's inhabitants. At the same time Church institutions all over the world have seized the momentum to foment new structures of solidarity and to call for and encourage the redirection of the national and global financial and economic systems towards the principles of justice, solidarity and subsidiarity.

[...]

As the UN community assumes this collective responsibility to support the poorest

developing countries at this time of financial crisis, we believe it is appropriate to recall the reflections of Pope *Benedict XVI* at the beginning of this year in celebrating World Day of Peace. He placed special emphasis on the essential need for a 'strong sense of global solidarity' between rich and poor countries to address effectively the fight against poverty. His appeal was essentially a moral one, based on the common good for all human beings.

In the field of international commerce and finance there are processes at work which permit a positive integration of economics leading to an overall improvement in conditions. At the same time, however, there are processes at work in the opposite direction that marginalize peoples and can lead to wars and conflicts. Despite the enormous growth in trade since the Second World War, there remain many low income countries still marginalized in terms of trade. In such countries, many of which are in Africa, there is a fundamental issue of global equity at stake. In the area of finance, too, the recent crisis demonstrates how financial activity can be self-centered and short-term in perspective, lacking any long-term consideration of the common good.

In closing, we reiterate our plea that the poorest countries be given priority at this time of crisis and that an ethical approach be adopted (I) in economics by those active in international markets; (II) in politics by those in public office; and (III) to allow for inclusive participation by all members of civil society. Only if such an approach is adopted can true global solidarity be achieved.

Thank you, Mr President.

Source: Extract from the statement by the delegate of the Holy See, Archbishop *Celestino Migliore* (www.holyseeemission.org/2009_interventions.html)

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The Judgement of the German Constitutional Court on the Treaty of Lisbon

by Karl Müller

Some weeks after the 30 June judgement of the German *Federal Constitutional Court* on the Treaty of Lisbon a glance at the reactions so far shows that there are quite diverse interpretations. There are proponents and opponents to the treaty who feel themselves confirmed by the judgement. And there are also proponents and opponents of the Treaty who criticize the judgement.

This can not only be explained by the political quarrels in which each side is looking for suitable arguments. The judgement itself is providing sufficient connecting factors.

The following article is not aiming at presenting a detailed constitutional and national-political examination of the judgement, even if some on the readers might welcome such an analysis. What we have to take note of however are the head-notes of the judgement (see box), which are of particular quality since they are legally binding.

Article 23 Grundgesetz sets clear standards for an EU participation

Article 23 Grundgesetz (see box) which the Court is always referring to was amended to the Grundgesetz in 1992 and has been interpreted by the commentators as being a "German determination of a state objective of a unified Europe" (Commentary of the *Bundeszentrale für politische Bildung* on the German Grundgesetz of 2003). There is no reference, however, to the fact that article 23.1 sentence 1 of the Grundgesetz subordinates the obligation to integrate under the provision that the developing European Union "is committed to democratic, social, and federal principles, to the rule of law". These are conditions which the European Union does not meet with the Treaty of Lisbon, as the judgement of the German Federal Constitutional Court of 30 June 2009 explicitly states. Article 23 Grundgesetz does not oblige Germany to integrate into the European Union as it is today.

No EU membership at any price

It is thus neither in accordance with the wording nor with the general context of the Grundgesetz, if article 23 is understood as an obligation to join the European Union – as some commentators virtually do. In particular, the previous article 20 cannot be ignored when interpreting article 23. Article 20 regulates the foundations of the national order of Germany, the obligation of the German State to be a democracy, a federal state, a constitutional and welfare state, the obligation to separate powers and the right to resistance.

Article 23 was amended to the Grundgesetz – unnoticed by the public and therefore not discussed – in order to create the constitutional conditions so that Germany could hand over increasingly extended competences to the European Union. This was done on demand of the then party oligarchy. However, this does not change the fact that the German membership in the EU must also comply with the standards laid down in article 23

Headnotes to the judgement on the Lisbon Treaty

km. The following headnotes to the judgement of the German Federal Constitutional Court on the Treaty of Lisbon are legally binding and therefore of special importance. They also show, however, that the Court is deceiving the public. In its judgement, the Court correctly explained the principles of constitutional law. But those who are familiar with the EU's reality, would draw the conclusion from these very principles that the Treaty of Lisbon is unconstitutional – however the Court failed to do so.

Headnote 1 states that Germany's membership in an association of sovereign national states (Staatenverbund) EU, exercising public authority, is compatible with the German Basic Law (Grundgesetz). At the same time it is affirmed that the member states remain sovereign and that the decisions of the citizens of these states alone can democratically legitimise the EU's acting. But do they really? What would be the answer if we asked them about their influence on the EU's political acting? Moreover any subsumption (i.e. subordination of the facts of a case under a legal norm) of the really existing EU under the "democratic, social and federal principles and the principles of the rule of law" is missing (article 23.1 sentence 1).

Headnote 2 states that both Bundestag and Bundesrat always have to take an active part whenever the EU is given more competences, even if this does not mean an amendment to the Treaty. Nothing, however, is said about the lawfulness of the EU's comprehensive present competences, although, in view of the comprehensive regulatory content of the European legal rules, the principle of limited conferral is nowhere observed.

Headnote 3 states that the EU member states must be given a guarantee to preserve sufficient scope to shape their political, cultural, economic and social living conditions. – Consequently following the wording of the Court's judgement would mean for Germany to opt out of the EU.

Headnote 4 states that the German Constitutional Court is willing to control – and will be in the future – that the EU does not transcend its competences. However, the German constitution-

al Court has never before affirmed such a transgression although there has been sufficient cause to do so; and again it does not specify any clear standards.

1 With its article 23, the Basic Law grants powers to participate and develop a European Union which is designed as an association of sovereign national states (Staatenverbund). The concept of Verbund covers a close long-term association of states which remain sovereign, an association which exercises public authority on the basis of a treaty, whose fundamental order, however, is subject to the disposal of the Member States alone and in which the peoples of their Member States, i.e. the citizens of the states, remain the subjects of democratic legitimisation.

2 a) To the extent that the Member States elaborate the law laid down in the Treaties in such a way that, with the principle of conferral fundamentally continuing to apply, an amendment of the law laid down in the Treaties can be brought about without a ratification procedure, a special responsibility is incumbent on the legislative bodies, apart from the Federal Government, as regards participation; in Germany, participation must, on the national level, comply with the requirements under article 23.1 of the Basic Law (responsibility for integration) and can, if necessary, be asserted in proceedings before the Federal Constitutional Court.

b) A law within the meaning of article 23.1 sentence 2 of the Basic Law is not required to the extent that special bridging clauses are restricted to areas which are already sufficiently determined by the Treaty of Lisbon. Also in these cases, however, it is incumbent on the Bundestag and – to the extent that the legislative competences of the Länder are affected, on the Bundesrat – to comply with its responsibility for integration in another suitable manner.

3 European unification on the basis of a union of sovereign states under the Treaties may not be realised in such a way that the Member States do not retain sufficient room for the political

formation of the economic, cultural and social circumstances of life. This applies in particular to areas which shape the citizens' circumstances of life, in particular the private space of their own responsibility and of political and social security, which is protected by the fundamental rights, and to political decisions that particularly depend on previous understanding as regards culture, history and language and which unfold in discourses in the space of a political public that is organised by party politics and Parliament.

4 The Federal Constitutional Court reviews whether legal instruments of the European institutions and bodies, adhering to the principle of subsidiarity under Community and Union law (article 5.2 ECT; article 5.1 sentence 2 and 5.3 of the Treaty on European Union in the version of the Treaty of Lisbon <TEU Lisbon>), keep within the boundaries of the sovereign powers accorded to them by way of conferred power (see BVerfGE 58, 1 <30-31>; 75, 223 <235, 242>; 89, 155 <188>: see the latter concerning legal instruments transgressing the limits). Furthermore, the Federal Constitutional Court reviews whether the inviolable core content of the constitutional identity of the Basic Law pursuant to article 23.1 sentence 3 in conjunction with article 79.3 of the Basic Law is respected (see BVerfGE 113, 273 <296>).

The exercise of this competence of review, which is rooted in constitutional law, follows the principle of the Basic Law's openness towards European Law (Europarechtsfreundlichkeit), and it therefore also does not contradict the principle of loyal cooperation (article 4.3 TEU Lisbon); with progressing integration, the fundamental political and constitutional structures of sovereign Member States, which are recognised by article 4.2 sentence 1 TEU Lisbon, cannot be safeguarded in any other way. In this respect, the guarantee of national constitutional identity under constitutional and the one under Union law go hand in hand in the European legal area.

and particularly with the standards formulated in article 20.

The Federal Constitutional Court did not examine the current circumstances of life within the European Union

The judgment of the Federal Constitutional Court, however, does not – just like the preceding ones – examine the current conditions

within the European Union. In the Court's grounds for the judgment, the headnotes that are mainly in accordance with constitutional law are not followed by an appropriate subsumption of the concrete circumstances of life in the EU. Instead, what follows are to a large extent evasive formulations written in woolly language, thereby often arguing in a quibbling manner. It does not ask for the po-

litical reality of the European Union today. Nor does it ask, whether the really existing EU meets the prerequisites of the articles 20 and 23 of the Grundgesetz, let alone the outstanding article 1 of the Grundgesetz (see box). Article 1 obliges the German state to re-

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Article 23

1) With a view to establishing a united Europe, the Federal Republic of Germany shall participate in the development of the European Union that is committed to democratic, social and federal principles, to the rule of law, and to the principle of subsidiarity, and that guarantees a level of protection of basic rights essentially comparable to that afforded by this Basic Law. To this end the Federation may transfer sovereign powers by a law with the consent of the Bundesrat. The establishment of the European Union, as well as changes in its treaty foundations and comparable regulations that amend or supplement this Basic Law, or make such amendments or supplements possible, shall be subject to paragraphs (2) and (3) of Article 79.

2) The Bundestag and, through the Bundesrat, the Länder shall participate in matters concerning the European Union. The Federal Government shall keep the Bundestag and the Bundesrat informed, comprehensively and at the earliest possible time.

3) Before participating in legislative acts of the European Union, the Federal Government shall provide the Bundestag with an opportunity to state its position. The Federal Government shall take the position of the Bundestag into account during the negotiations. Details shall be regulated by a law.

4) The Bundesrat shall participate in the decision-making process of the Federation insofar as it would have been competent to do so in a comparable domestic matter, or insofar as the subject

falls within the domestic competence of the Länder.

5) Insofar as, in an area within the exclusive competence of the Federation, interests of the Länder are affected, and in other matters, insofar as the Federation has legislative power, the Federal Government shall take the position of the Bundesrat into account. To the extent that the legislative powers of the Länder, the structure of Land authorities, or Land administrative procedures are primarily affected, the position of the Bundesrat shall be given the greatest possible respect in determining the Federation's position consistent with the responsibility of the Federation for the nation as a whole. In matters that may result in increased expenditures or reduced revenues for the Federation,

the consent of the Federal Government shall be required.

6) When legislative powers exclusive to the Länder concerning matters of school education, culture or broadcasting are primarily affected, the exercise of the rights belonging to the Federal Republic of Germany as a member state of the European Union shall be delegated by the Federation to a representative of the Länder designated by the Bundesrat. These rights shall be exercised with the participation of, and in coordination with, the Federal Government; their exercise shall be consistent with the responsibility of the Federation for the nation as a whole.

7) Details regarding paragraphs 4) to 6) of this Article shall be regulated by a law requiring the consent of the Bundesrat.

"The Judgement of the German ..."

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spect and protect human dignity and human rights.

Therefore one must not be surprised, that a few days after the pronouncement of the judgment the Court's presiding judge, *Andreas Vosskuhle*, complied with warmonger *Joseph Fischer* and the likes, stating that the door to a European federal state was further open (*Neue Juristische Wochenschrift* NJW of 7 July). In his time as German Minister of Foreign Affairs Fischer had called for such a European federal state, a demand that the Court also emphasized this in its judgment. In a contribution for the weekly paper *Die Zeit* of 9 July, Fischer then campaigned against the Court saying that the judgment was "turned backward and out of touch with reality" – because it did not yet correspond completely with Fischer's line.

The judgment shows that it is always important to try everything in order to enforce the law, but that in Germany law is a tough act to follow when it comes to the jurisdiction of the highest court. We must therefore thoroughly think about how the people can come into their own and in particular: which political culture is needed.

No consequences following from the "structural democratic deficit" in the EU

The judgment of the Constitutional Court is of no great help here. It is true that the judgment states that the European Union does not become more democratic by the Treaty of Lisbon ("structural democratic deficit"), although the wording of the Treaty pretends that it does – i.e. the Treaty itself is a deception. This statement in the judgment, however, is not followed by any convincing consequences. On the one hand, the Federal Constitutional Court claims, "The citizens' right to determine, in equality and freedom, public authority with regard to persons and subject-matters through elections and other votes is the fundamental element of the principle of democracy. The right to free and equal participation in public authority is anchored in human dignity (article 1.1 of the Basic Law)". The Court does not follow, however, its own statement, that the really existing European Union does not meet these structural preconditions but violates basic components of the democratic principle: it does not draw the only legally correct conclusion that it is just because of article 23 Grundgesetz that the Federal Republic of Germany must not integrate into an EU of that sort. This follows from the constitution and therefore from law.

The Court equals the really existing EU with the goal of "maintenance of peace and the "overcoming of the destructive antagonism between the European states" irrespective of the structural democratic deficit and irrespective of the great powers' participation in wars – *even in Europe!* According to the Court Germany is not allowed to freely decide on its EU membership; for, irrespective of this EU's undemocratic quality, for it is allegedly not left to the political discretion of its constitutional bodies "whether or not they participate in European integration".

The really existing political power of the EU is not considered

In view of the "acquis communautaire" of the EU (legal acts of the EU in 31 volumes and 85,000 pages), which already comprehensively regulates the circumstances of life of the people within the EU, and in view of the new and extended competences of the EU, as for example in trade policy (exclusive responsibility of the EU for all negotiations with WTO, GATS and TRIPS), in the field of justice and defence policy it is grotesque if the Court speaks of the "necessity" that Germany has to "retain sufficient room for the political formation of the economic, cultural and social circumstances of life".

The Court even goes as far as claiming that it was a negligible fact if 80 per cent of the German legislation were determined by the EU, as long as there was a "sufficient room" for the German legislation. It does not consider how closely related the several areas of policy are: for example that no national social policy is possible if the community is de-



Pedestrians in the city centre of Kiel. The German people deserve something better than the really existing EU, the Treaty of Lisbon and a Federal Constitutional Council that may speak of the citizens' rights but does not really protect those rights. In Germany, too, a new task is on the agenda: to commonly establish a new political culture in which all the topics of everyday life can be discussed openly, freely, equally and to a large extent. Where this is possible, everyone can already practice and live democracy and sovereignty today. (photo caro)

prived of the possibility to shape its own economic order – something the Treaty of Lisbon would both reinforce and deepen.

The Court repeatedly stresses that there was no "competence to extend competences" of the EU, that means there was no competence independent of the national parliaments' decisions to appropriate itself new competences. Instead there were merely limited "conferrals". This life-lie (Prof K.A. *Schachtschneider*, expert on constitutional law) is an attempt to deceive the public about the fact that these "conferrals" have already been very wide and open and have been widely interpreted by the European Court of Justice. In this respect, the Treaty of Lisbon goes even further than all treaties so far.

Germany needs a new political culture

Indeed: Germany increasingly suffers from a lack of political culture. What countermeasures can be taken? It cannot be done without the help of civil society. If the civil society in its social framework succeeds in speaking openly, freely, equally and broadly about all the topics concerning Germany, and if "sovereignty" is also realised where it is possible today in thinking, feeling and acting, the Civil Society will have a great impact. It would, in fact mean to lay the founda-

tion stone for direct democracy in Germany. It would also mean what the Federal Constitutional Court said but what is left without any consequence later on: "The citizens' right to determine, in equality and freedom, public authority with regard to persons and subject-matters through elections and other votes is the fundamental element of the principle of democracy. The right to free and equal participation in public authority is anchored in human dignity"

First of all: Express reservations to the Lisbon Treaty

Meanwhile everyone must be aware of the fact that the Lisbon Treaty, in case it comes into effect – despite the right to withdraw from the European Union, expressly laid down in the Treaty – will not so easily be annulled. The air of freedom will become much thinner then. Thus, we also have to consider, what can actually be done in the coming weeks, so that the basic conditions for the civil society working on the improvement of the political culture will be better than the conditions under an unchecked Treaty of Lisbon. Here the judgment of the Federal Constitutional Court may well be included, for example, by taking seriously the borders of the European Union, described by the Court at least, as

well as the regulations for Germany's democracy and sovereignty, and by properly elaborating the reservations against the treaty both on the constitutional level and with regard to international law.

The German Bundestag will discuss and decide on a new Collateral Law Act to the Lisbon Treaty at the end of August and the beginning of September. Here properly worded reservations could be well inserted. Germany would not be the only country that expresses reservations in relation to the treaty. Great Britain and Poland expressed such reservations, too. This proceeding is quite common according to international law. This way the members of the German Bundestag could show that they do no longer wish to be a mere executive body of the government with regard to the decisions of the European Union, Instead they could begin to take democracy and sovereignty seriously again. Thus, they would become true representatives of the people. •

Article 1

- 1) Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.
- 2) The German people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world.
- 3) The following basic rights shall bind the legislature, the executive and the judiciary as directly applicable law.

Article 20

- 1) The Federal Republic of Germany is a democratic and social federal state.
- 2) All state authority is derived from the people. It shall be exercised by the people through elections and other votes and through specific legislative, executive and judicial bodies.
- 3) The legislature shall be bound by the constitutional order, the executive and the judiciary by law and justice.
- 4) All Germans shall have the right to resist any person seeking to abolish this constitutional order, if no other remedy is available.

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Function and Significance of Potassium for the Human Body – Possible Consequences of Enhanced Intake of Radioactive Potassium-40

by Dr. med. Andreas Bau, Dr. sc. nat. Hans Könitzer

In February 2009 H. W. Gabriel and Dr D. Schalh presented data from an investigation of soil samples from Serbia, and reported some remarkable shifts in isotopic concentrations of potassium.¹ In comparison to natural potassium an enhanced fraction – up to 100fold – of radioactive potassium-40 was found. The element of potassium occurs in nature as a mixture of three isotopes, K-39 (93.94 %), K-40 (0.117 %) and K-41 (6.3 %). One would expect radioactive potassium-40, which is a beta and gamma ray emitter with a very long half life, to account for only 0.117 % of natural potassium. The soil samples were analysed by means of gamma spectroscopy and chemotechnical methods, results were shown to be reliable and reproducible. An outstandingly high proportion of potassium-40, up to 100fold that of normal, was measured. Taking into consideration, that natural variation in isotopic proportions due to different geological influences is quite narrow (around 1 %), than the question arises, where these high amounts of potassium 40 come from. It is not part of the radioactive series of either uranium or thorium. This excludes uranium to be the source of potassium 40. In fact K-40 can only be produced by nuclear transformation of another element. For instance, firing neutrons at non-radioactive calcium 40 will produce radioactive potassium-40 particles. The finding of enhanced concentrations of additional radioactive isotopes such as carbon-14 and beryllium-10 can only be explained by a nuclear reaction, which produced these particles on the spot. In other words, weapons must have been used, which lead to such nuclear reactions (tactical atomic weapons).

We have to face the question, which dangers for the human organism result from enhanced intake of radioactive potassium-40. At first we would like to illustrate the significance of potassium from the medical point of view.

Function and significance of potassium in the human body

Talking about potassium now, we refer to the naturally occurring potassium the way we ingest it with our meals on a daily basis. In nature potassium is found exclusively as a cation (positively charged ion). It is the most important cation within all human and animal organisms and it is indispensable for normal cellular function. A diet especially rich in potassium would consist of meat, fruits such as apricots, kiwi, cherries, black currants and especially bananas, vegetables such as potatoes, cauliflower, cabbage, spinach or celery. Mushrooms and nuts also have a high potassium content. A healthy human body will easily balance out any increased potassium intake. That means, eating a lot of bananas or other potassium sources will not increase the intracellular potassium concentration. Things look different if we ingest or inhale potassium which is altered by unnaturally enhanced potassium-40 concentrations¹. In war areas this can happen by food contamination, but also by inhalation of contaminated dust. It is a fact of chemistry, that isotopes are chemically indistinguishable. Biochemistry of human, animal or plant metabolism cannot distinguish potassium-39 from either potassium-40 or potassium-41. The organism deals with all isotopes the same way and has no mechanism to separate radioactive potassium-40 particles from normal metabolic pathways.

Potassium – most important factor of internal radiation

The amount of potassium present in the body is located in 98% within the cells and only in 2% outside the cells. “The level of the inner exposure to radiation in a human being is up to now predominantly determined by potassium 40. It is about 0,2 mSv/a. The increase

What kind of weapons has been used here?

It is a well-known and cruel fact that wars are frequently utilized to test new weapons. Although there is massive secrecy in this domain, public debates are undesired and sometimes suppressed by all available means, everybody can imagine that the countless scientists and engineers who serve the weapons industry do not draw their salaries simply for remakes of old weapons. Meanwhile it can no longer be concealed that in Iraq, in Somalia, in Serbia and Kosovo, in Afghanistan, Lebanon and Gaza – everywhere the US and its allies waged wars or supplied them with weapons – they did not only leave behind immediate death and destruction. From all these countries there were and are alarming reports about unknown injuries and clinical syndromes or unprecedented increases in cancers, reporting of genetic damages and congenital malformations in newborns.

In the regions of former Yugoslavia it was evident that certain diseases occurred quite soon after weapons had been used. Another particularity is represented by the massive accumulation of multiple tumours. People do not only develop one single form of cancer, but two or three.

In the meantime some research has been made and insights have been gained – as for example about the so-called Depleted Uranium. Uranium dust in the form of the tiniest nano-particles is set free and can

break through biological barriers such as the blood-brain barrier or the placental barrier and then enter the cell. This has serious radiotoxic and chemotoxic consequences.

The analysis of soil samples from Serbia has now revealed additional results. Not only Uranium and its decay products have been found but other radioactive elements and substances as well. These results raise serious questions. The detected isotopic proportion for Potassium, for instance, cannot be found in nature; it has no relation to the decay particles of Uranium but is known as a result of nuclear weapons tests. What does this mean? What kind of weapons has been used here? After the bombing of the national TV station in the centre of Belgrade two bodies of the 16 killed TV employees were untraceable. They were literally «vaporised», as is reported in the film «Yugoslavia: the avoidable war».* The effects of heat must have been immense – so massive, that it can only be explained by the use of radioactive weapons – a nuclear explosion in small format. Has a new generation of nuclear weapons been tested here?

In view of the health problems in the afflicted countries – which have also been observed with US/Nato soldiers who returned home – it is an obligation under international law for those countries that made use of these weapons to get the effects

clear. Mankind has the right to know what she is facing here and what this means for her natural resources. And soon. Otherwise all talking about law, human rights and democracy, but also about ecology and the protection of our natural environment degenerates into a farce.

It is a matter of obvious war crimes that are revealed. Those who help to cover them become complicit in the crime. This is one of the conclusions the international community had drawn from the World War II and which it laid down in the regulations of international law. Every member of government and each people's representative of the war alliance are taken up on their promises.

The accompanying article explains the effects of radioactive Potassium-40 on the organism. Inter alia, it shows how cell repair mechanisms – important defence mechanisms of the human body against the occurrence of cancer cells – are being destroyed. And it provides us with an insight into the damages that the development and spreading of those substances does to life on earth.

Erika Vögeli

* “Yugoslavia: the avoidable war”, USA/D 1999/2001, Direction: George Bogdanich and Martin Lettmayer. English version at [video.google.com/videoplay?docid=5860186121153047571-\(part 1\) and video.google.com/videoplay?docid=6371060303901674397 \(part 2\).](http://video.google.com/videoplay?docid=5860186121153047571-(part 1) and video.google.com/videoplay?docid=6371060303901674397 (part 2).)

of the concentration of potassium 40 by the factor 100 leads to a very critical level of contamination (20 mSv/a !!).²¹ One would predict that radiocative potassium-40, which was found to be elevated 100fold in the analysed soil samples, after entering the food chain would be transported into living cells and damage important functions of cell organelles such as the cell nucleus or mitochondria by its radiation, which especially the nucleus is very vulnerable to.

Mitochondria – the power plants of the cell

In order to understand the importance of mitochondria, we have to do a little excursion about their way of functioning: Mitochondria are egg shaped organelles, which are next to the nucleus the second largest structures in the cell with a length of about 300–800 nm and some 100 nm of thickness. They are enclosed by a double membrane. They are located in proximity to the nucleus. Mitochondria have their own DNA (desoxyribonucleic acid, which carries the genetic information) and they are therefore capable of transcribing their own proteins. Cellular “breathing” takes place in the mitochondria, and their main task is the production of ATP (adenosine triphosphate), the most important energy source of all metabolic activities. That's why mitochondria are often referred to as the “power plants” of the cell.

Damaging of intrinsic cell repair mechanisms

Energy from ATP is necessary, among other things, to produce water soluble glutathione (GSH), which is as so-called antioxidants. GSH is the first line repair system for most

cellular structures, if they were damaged by free radicals. Free radicals are chemically highly aggressive compounds, and ionising radiation exerts its biological consequences mainly by the formation of free radicals. In addition to that GSH offers protection against chemical mutagens, which are dangerous for the cell by their potential to change the genetic information. Normally this antioxidative function of GSH is regarded as a protective mechanism against the development of cancer, because it neutralises free radicals. But without sufficient amounts of ATP there is a lack of GSH and the repair mechanisms fail.² Potassium-40, which was ingested with the food and transported into the cell will not only damage the cell nucleus but also ATP production in the mitochondria and therefore the cellular repair mechanisms!

Impaired excretion of heavy metals

Another important task of GSH is its contribution to the clearance of toxic heavy metal ions from the cell. Heavy metals bind to GSH and are transported out of all body cells to the bile ducts of the liver and finally excreted via the gall bladder into the bowel system.² So it is understandable why any damage to the mitochondria by radiating substances such as potassium-40 has so deleterious consequences.

Life threatening shifts of electrolyte

ATP from the “cellular power plants” is necessary for another indispensable function of human life. Body and cell fluids are basically electrolyte solutions due to the ions they contain. The presence of certain ions around biological membranes leads to the

formation of electric potentials which are essential for life function. Mainly the relation between sodium and potassium ions is of utmost importance. Inside the cell there is more potassium and outside more sodium. Sodium-potassium balance is maintained by the sodium potassium pump. This is an enzyme system with a huge energy demand, utilizing 30% to 70% of all ATP produced in the body. The outstanding role of ATP was described above in the function of the mitochondria. Without sufficient ATP supplies the sodium potassium pump cannot function properly and membrane permeability will break down. At the end these disturbances lead to life threatening electrolyte shifts between intra and extra cellular fluids and finally changes of the cell volume.

From these explanations the outstanding importance of potassium for the maintenance of central life functions of the organism becomes clear. And in the same way the life threatening and life destroying potential of radioactive potassium-40 becomes clear, too, this terrible byproduct of an absolutely inhumane weapon employed in an absolutely inhumane war.

¹ Dipl. Ing. H. W. Gabriel, Dr. D. Schalh, Measurement of Radioactivity of Soil Samples from Serbia, Part 2. *Current Concerns* No 9/10, May 2009

² Rosalie Bertell, *Occupational Hazards of War. Depleted Uranium: All the Questions About DU and Gulf War Syndrome Are not yet Answered*, International Journal of Health Services, Vol. 36 (2006), Nr. 3, Pages 503-520, www.iiicph.org/occupational-hazards-of-war-du

International Youth Call On Strengthening International Humanitarian Law

Youth Declaration of the Red Cross and Red Crescent

thk. On 2 July the city of Geneva witnessed the highlight of the commemoration ceremonies for the laying of the foundation stone of the International Committee of the Red Cross (ICRC) 150 years ago. 250 young people, who had walked the way from Solferino in upper Italy to Geneva for the past three days, read out a declaration to the world in representation of 50 million young voluntary helpers of the ICRC and the Red Crescent. In their declaration, they described ways towards a more humane world.

The terrible battle of Solferino on 24 June 1859 (see Current Concerns No 12 of July 2009) was the starting point for the humanitarian work of the Swiss Henry Dunant. The spirit of fraternity and humanity, which is the irrefutable foundation of the Red Cross movement, is based on the idea of the equality of all the people.

The founder of the Red Cross, Henry Dunant, with his attitude of "tutti fratelli" (we are all brothers and sisters) and his spontaneous work on the battleground of Solferino, determined the commitment of the ICRC, which has not been changed since then and is resident in the Swiss tradition of neutrality and the refusal of imperial power politics.

The fact that today's youth of the national Red Cross societies and the national Red Crescent societies draws the world's attention on the importance of humanitarian work shows that the young people took up the spirit of that time and want to spread it. Thus, the young people speak of "today's Solferinos", which need our human commitment and our dedication. Our world desperately needs to remember its humanitarian foundations.

The number of wars as well as the violations of human rights, famines and discriminations of people has not been reduced; all the more our commitment for a better world is required. The young people's commitment gives us hope, and it shows that common values still count. May the spirit of these young people be contagious for all of us so that we can help to establish a more humane world.

Youth Declaration of the Red Cross and Red Crescent

We the youth of the Red Cross and Red Crescent Movement, united on the battlefields of Solferino, reaffirm the vision of 31 year-old Henry Dunant. His vision of humanity has changed the world and united us under common emblems of hope. 150 years later, his fleeting idea has evolved into a global humanitarian movement of 100 million Red Cross and Red Crescent volunteers.

We the youth of 150 countries, representing the 50 million youth volunteers of the Red Cross and Red Crescent Movement, have gathered to define our vision of humanity and to address the Solferinos of today. Poverty, conflict, violence, migration, disease, discrimination and climate change are some of

the challenges that still cause suffering for hundreds of millions of people across the world. Our generation faces unprecedented change.

As Henry Dunant mobilized the people of Solferino to alleviate suffering, and then appealed to world to provide humanitarian access, we have mobilized ourselves and now appeal to the leaders of the world to:

- Recognize youth as agents of change;
- Encourage the unique abilities and skills that young people alone can bring to the table, such as intercultural communication and innovative use of technology;
- Include youth in decision-making and planning processes at all levels;
- Push for youth to have a stronger role in program development and implementation to empower their communities; and
- increase focus on formal and non-formal peer education as a primary method of prevention.

We speak with one voice and call on the international community to work with us to do more, do better, and reach further.

In a world full of challenges, we the youth of the Red Cross and Red Crescent Movement commit ourselves to:

1. Inner change and the development of skills to promote harmony and positive attitudes within communities;
2. Live our seven Fundamental Principles as agents of behavioral change in our communities;
3. Renounce violence, promote non-discrimination and respect for diversity, and a culture of peace in the world;
4. Stand up for non-discrimination in our personal lives; and
5. Live up to our roots in international humanitarian law, by acting and standing up to reduce suffering in armed conflict, and actively disseminating information about the rules of armed conflict, even in times of peace.

We call on our National Societies to:

1. Enable youth to take a leadership role in positively changing behaviors and attitudes in our communities, using peer and non-formal education methods such as the Federation's "Youth as Agents of Behavioral Change" initiative;
2. Include the "most-vulnerable" groups in decision-making processes; and
3. Declare that discrimination of any kind is unacceptable in our Movement, including discrimination based on gender and sexual orientation.

We call on the governments of the world and on the international community to:

1. Promote knowledge and respect for diversity and non-discrimination;
2. Ensure that education is applied in order to prevent violence and abuse affecting children and young people;
3. Respect international humanitarian law in armed conflict and during peace, and ensure all cases of violation are properly investigated;
4. Include international humanitarian law in formal education curricula;
5. Improve the control of weapons with a special focus on small firearms; and
6. Seriously address the issue of children involved in armed conflict, including their reintegration into society in post-conflict areas.

We the youth of the Red Cross and Red Crescent Movement commit ourselves to:



In a world full of challenges, we the youth of the Red Cross and Red Crescent Movement commit ourselves to renounce violence, promote non-discrimination and respect for diversity, and a culture of peace in the world. (picture ICRC/M. Kopic)

1. Do our part in building stronger societies by using the invaluable knowledge, resources, energy, capabilities and networks of young people to carry the Movement through the 21st century;
2. Cultivate a more diverse base of youth volunteers, and address local needs of vulnerable people;
3. Honest, transparent self-assessment and regular review of policies and guidelines at all levels, to strengthen global youth participation in the Movement;
4. Embrace equal leadership opportunities for young women and young men, and share success stories;
5. Establish and strengthen regional networks to empower local and international youth structures; and
6. Further utilize social media and emerging technologies to advocate, share ideas, and communicate efficiently.

We call on our National Societies to:

1. Empower, enable, educate and elevate young people by sharing responsibility, power and decision-making in a genuine partnership;
2. Involve young people in decision-making processes at regional and international statutory meetings;
3. Work together as a Federation to address the urgent need for financial and human resources to support youth development at the regional and national levels;
4. Provide resources and opportunities to develop, retain and transition volunteers throughout their lives; and
5. Commit to achieve gender equality, especially in leadership.

We call on the governments of the world and on the international community to:

1. Commit to greater accessibility of education and leadership opportunities for women; and
2. Empower, enable, educate and elevate young people by sharing responsibility, power and decision-making in a genuine partnership.

We the youth of the Red Cross and Red Crescent Movement commit ourselves to:

1. Ramp up prevention efforts for sexually-transmitted infections, including HIV, through peer education and, for example, condom distribution programs and other suitable approaches;
2. Promote the "right to know" about substance-related harm, by increasing peer education and community participation;
3. Act to eliminate stigma and discrimination associated with tuberculosis, HIV, and drug use;
4. Promote voluntary non-remunerated blood donation to save lives, promote healthy lifestyles, and instill humanitarian values, through programs such as Club 25; and

5. Address road safety as a humanitarian challenge, by encouraging young people to act responsibly.

We call on our National Societies to:

1. Address tuberculosis treatment, HIV prevention and challenge stigma; and
2. Support voluntary non-remunerated blood donation, targeting young donors.

We call on the governments of the world and on the international community to:

1. Address drug and alcohol abuse as a humanitarian challenge, not a criminal one; and
2. Include first aid and road safety in national education curricula, and allocate appropriate financial and logistical resources.

We the youth of the Red Cross and Red Crescent Movement commit ourselves to:

1. Involve ourselves in disaster preparedness, response and recovery, including innovative solutions such as psychosocial support;
2. Live up to our commitments on climate change, and make little moves every day, using youth peer education to change communities;
3. Advocate strongly on climate change adaptation, including the protection of climate migrants;
4. "Safe food for safe life", by advocating on food security; and
5. Advocate for access to clean and safe water, and contribute to sustainable solutions.

We call on our National Societies to:

1. Follow through on existing commitments on climate change.

We call on the governments of the world and on the international community to reduce vulnerability to disaster by:

1. Creating active and dynamic partnerships at all levels, to address climate change mitigation and adaptation;
2. Preparing for and responding to the emerging humanitarian effects of climate change, such as the protection of climate migrants; and
3. Renewing your commitment to finding sustainable water security for all.

This is our vision

We intend to mark the 100th anniversary of the Federation in 2019 with the successful achievement of these objectives. We are ready to assume our responsibilities, but we cannot do so alone. We need national societies and governments to help us address the "Solferinos of today".

We urge the Red Cross and Red Crescent Movement, national governments and the international community to do more, do better, and reach further.

Participants of Youth on the move 3rd Red Cross and Red Crescent World Youth Meetin, Solferino, Italy, June 2009

Source: 170700-Youth_declaration-EN-4PAGES-LR.pdf



"We call on the governments of the world and on the international community to [...] include international humanitarian law in formal education curricula."