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New Series

The Federalist Debate

Papers on Federalism
in Europe and the World



*The establishment of a perfect civil Constitution
depends on the problem of governing the external relations
among states through law*

Immanuel Kant

The Federalist Debate

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How Was This Possible?

Lucio Levi

How was it possible that the country that served as a refuge for millions of Jews who escaped the Holocaust the most terrifying genocide in contemporary history was transformed into an ultra-nationalist state, itself the architect of a massacre that seems to be evolving into a full-blown genocide?

In 1947, the UN approved Resolution 181, which envisaged for the partition of Palestine, then under British mandate, the formation of a Jewish state and a Palestinian state, and a special status for Jerusalem. The plan did not materialize because, when Israel declared independence in 1948, the Arab countries invaded it and were defeated. The Jewish state that was formed was larger than the 1947 plan, while large areas assigned to the Palestinian state ended up under the rule of Egypt (Gaza Strip) and Jordan (West Bank). With the Six-Day War (1967), the Gaza Strip and the West Bank came under the control of Israel, which occupied them militarily. This marked the beginning of the authoritarian, imperialist, and colonialist degeneration of the State of Israel.

With the Oslo Accords (1993) between the Israeli government and the Palestinian factions represented by the PLO, the Palestinian National Authority (PNA) was created, a body of partial self-government of the Territories with the aim of creating an independent Palestine, an embryonic state. Thirty years after Oslo, the Palestinian state has not been established. Since 2007, the Gaza Strip has been under the control of Hamas. It took power by force, and separated it from the West Bank. The PNA formally governs the West Bank, but it is greatly weakened, while Israeli settlements are constantly expanding.

Today, Gaza has been almost completely razed to the ground and is largely reduced to a pile of rubble, while the autonomy of the PNA is increasingly limited.

Netanyahu's most recent decision has been to impose the total military occupation of the Gaza Strip, which could be described as the 'final solution' to the Palestinian question, i.e. annexation and the return of Israeli settlements so that the Palestinian question no longer represents a threat to Israel. The alternative offered to the Palestinian people is a choice between starvation and death under the bombs. Reports coming in (not all of which can be verified) claim that Israeli forces, in addition to daily bombings of Gaza, have repeatedly opened fire on crowds waiting for aid. Each day, civilians risk their lives to obtain a meager portion of assistance. There is a third alternative: the forced emigration of one million Gaza residents to the Horn of Africa. This would allow Gaza City to be emptied of civilians.

David Grossman, one of Israel's most esteemed intellectuals, recently declared: "For years I refused to use the word 'genocide'. But now I can't help using it, after what I have read in the newspapers, after the images I have seen and after talking to people who have been there... I want to speak as someone who has done everything he could to avoid calling Israel a genocidal state. And now, with immense pain and a broken heart, I must acknowledge that it is happening before my eyes. 'Genocide'. It is a word like an avalanche: once you say it, it only grows, like an avalanche. And it brings even more destruction and suffering."

Actually, as Israeli historian Benny Morris has clarified, 'genocide means the destruction or attempted destruction of a people... a political decision... involving the killing of millions of people'. The historical precedents cited by Morris are the genocide of the Armenians by the Turks a hundred years ago and the Nazi Holocaust of the Jews. "That is not what is happening in Gaza," argued Benny Morris. He concluded that "it could turn into something similar... There has been a process of dehumanization by the Israelis towards the Palestinians and, incidentally, by the Palestinians towards the Israelis, which could eventually result in genocide, but we are not there yet... Undoubtedly, war crimes have been committed by Israel... But these are war crimes, not genocide."

Currently, the Israeli army controls about 75% of the territory of Gaza. Netanyahu's new plan is to launch a new military offensive to conquer the remaining 25% of the Gaza Strip, bringing the entire Strip under Israeli military occupation, despite strong internal opposition and the erosion of international support for Israel.

This is no longer a defensive war aiming to secure Israel's safety. It has become a war of conquest. Until now, Israel has sought to pursue two goals simultaneously: freeing the hostages and dismantling Hamas. After nearly two years of attempts, it is clear that these two goals cannot be pursued together.

The terrorist actions of Hamas, which acts in Gaza as the government of a sovereign state on an ethnic basis, have confirmed that the coexistence of two independent and sovereign states on the same territory is not capable of ensuring peace.

Ultimately, the widely supported formula of two peoples and two states – entailing the formation of a Palestinian state in the West Bank and Gaza – has proved impracticable due to the presence of around half a million Israeli citizens in the occupied territories. The only peace initiative that seems viable is that supported by the European Federalist Movement, which is based on three points:

1. the immediate suspension of Israeli settlements;
2. the start of the constituent process of a Palestinian state, which would include neighbouring Arab countries with the participation of the powers that have supported a peaceful solution to the conflict; this phase represents an opportunity for the EU to regain its role as a peacemaker, which is its most genuine vocation;
3. the launch of the constituent process of an Israeli-Palestinian federation, beginning with the pooling of strategic resources such as energy and water (similar to what happened with the ECSC for coal and steel), as proposed at the time by Jacques Delors to initiate the integration of the countries of the Middle East.

In conclusion, I return to the initial question. How was this possible? Countless pages have been written on the nature of evil. The disappointing answer is that neither literature nor philosophy can offer definitive answers on anything. A political solution is needed, one that goes beyond the simple establishment of two states, which would not prevent war, but which provides for the creation of common institutions, capable of resolving conflicts peacefully on the basis of law rather than force.

Why Global Governance is Failing. And a Way Out

Fabio Masini

Trump's administration is challenging the international economic and monetary system, as it has been evolving since the Bretton Woods monetary conference in 1944. In the last few decades, the US/dollar hegemony has been weakening, giving rise to an alternative block of financial and economic infrastructure, led by China with the BRICS+. This is leading to a weaponization of currencies, which might dramatically challenge the stability of the world economy. We need to return on a path to multilateralism, built on the relaunching of regional integration projects in the major continental areas of the world.

The emergence of the Triffin Dilemma

Since 1959 Robert Triffin exposed the intrinsic weakness of an international monetary system relying on a national currency for the provision of international liquidity, underlining the conflict between domestic and international goals for the hegemonic country. This contradiction has been perpetuated (and never fixed) via the weaponization of the dollar for political aims, allowing the US to invest in domestic and foreign expansionary initiatives despite the shortage of domestic saving, thanks to the role of the US-Treasury bond as safe asset par excellence.

The increasing need to accumulate reserves in US dollars, as a cushion against potential and sudden capital flights (after the crises of the late 1990s), has given rise to the huge global imbalances that the world has been experiencing in the last 25 years, with the

perverse effect of low-income countries de facto financing US expenditures. The financial crisis of 2008-9 triggered calls for reform of the international financial architecture, which was resisted by the USA. Hence the emergence of the BRICS around the growing role of China and the recent bipolarization of the world economic and monetary system.

We let interdependence increase without governing it

Globalization increased, capital markets were mostly made free to shift huge amounts of money in real-time, assisted by deregulation and lack of enforceable global legislation. This allowed for returns on financial speculation to increase, but at the cost of greater distributive inequalities, decreasing investment in long-term projects, excess global saving.

An unsustainable situation that caused counter-reactions against financialization of the economy, globalization, and greater requests for (national) economic and social protection, that has led to nationalism and the emergence of authoritarian governments.

The problem, though, was not globalization per se, or the free movement of capital, but the lack of any supranational management of such processes, that allowed for the ill-effects of such unconstrained evolution to emerge. Unmanaged interdependence, that would have required collective action at a supranational level, is causing, through attempts at fencing off its negative effects, the disruption of its positive effects.

A new international order

If we want to resist a return to a bipolar confrontation and increasing economic and military conflicts, we need to accelerate the building of a multipolar system, based on continental poles of similar economic, monetary, political/military dignity (strength). Hence the need to accelerate on regional integration in areas like Central and Latin America, Africa, South-East Asia. All places where some embryonic initiatives have been under way for some time already, that now need to be made effective. Maybe starting from making regional free trade agreements operational, strengthening regional financial safety nets, building regional currencies. A larger use of the Special Drawing Rights (the only multicurrency asset issued by the International Monetary System) as an anchor for regional currency unions, trans-national payments, financing of global merit goods

(such as poverty reduction, sustainable development, struggle against climate change, etc) would be a key step in such process.

The role of Europe

The advantage of the above-mentioned regions is that they can count on the experience (successes, failures, critical knots) of regional integration in Europe. The European Union, the most advanced experiment in supranational institutional building in the world, is called to assume greater responsibility as a model for other regional integrations; accelerating on its process towards global actorness, provision of regional public goods, (security, energy, strategic infrastructures, etc) and greater international role of the euro, with the costs and privileges related to this. Not aiming at substituting the dollar hegemony, as some have suggested, but at building a more equitable multilateral and multi-layered global governance.

The Techno-dystopian Domination Coming from America

Nadia Urbinati

Today, high-tech engineering holds the reins, with the ambition of designing a social system in which personal choices are monitored and the will of the individual is redirected. It is capitalism in its most advanced, monopolistic, and illiberal form.

The war orchestrated in Iran as an advertising campaign aimed at convincing Western public opinion to buy American weapons and high technology in exchange for less draconian tariffs: this is the trademark of White House capitalism, a plan for despotic economic and technological domination that makes no concessions and erases two centuries of liberal thought.

If European leaders do not understand what is happening, it is because they are either incapable and incompetent, or they share the American project of demolishing constitutional democracy.

In the post-World War II political culture, constitutional democracies were fueled by the idea that they were the most coherent response to totalitarianism, creating the conditions to prevent its future resurgence.

Theoretical writings on totalitarianism, starting with Jacob Talmon's classic text and continuing with essays on liberal theory (Raymond Aron, Isaiah Berlin, and Friedrich von Hayek) and democratic theory (Robert Dahl, Norberto Bobbio, and Giovanni Sartori), were guided by a premise that seemed justified by history: totalitarianism was the extreme result of the

divorce between liberalism and democracy, between private freedom and political power; it can be prevented by constitutions which, as pacts signed by citizens, establish both individual and political rights in their forms and limits. Constitutional democracies bring together the two horns of the modern polis: the individual and the citizen.

One factor remains to be considered, which has only been mentioned so far: capitalism. Historically born in opposition to the absolute powers of the state and pre-modern monopolies, it has progressively demonstrated its own tendency towards monopolistic control. It already demonstrated this with the enclosure of common land in England in the early 19th century, and then gradually adapted all forms of production and profit generation to itself.

America is the continent where capitalism has demonstrated its ability to radically and rapidly change human nature and social relations (as Fabrizio Tonello tells us in his recent book *L'America in 18 quadri: dalle piantagioni alla Silicon Valley*, Laterza 2025).

In America, it succeeded with relative ease (and a great deal of violence), partly because in that country of immigration, it encountered no resistance in traditional and community values. The American Republic was born with a project of expansion and revolution.

The surprising fact of recent years (let's call

them Trumpian for convenience, even if their roots go back to American social history at least since the Reconstruction after the Civil War) is that capitalism is proving to have disturbing totalitarian potential.

The Trump administration has announced the creation of a single national database (i.e., operational throughout the federation), entrusted to the autocrat Peter Thiel, head of Palantir, whose company, with taxpayer money, will create a system to concentrate all American data: data that emerges from the use of services (healthcare, taxes, pensions, and social security), from behavior regulated by platforms for any reason (social media, home banking, professions).

The goal of the “new future,” of which the anti-democratic Thiel is one of the main exponents, has a clear purpose: to profile every act and, ideally, every desire of citizens, just like the Chinese platform that terrifies liberals.

For years, we have read that China is using technological engineering to create a homogeneous world from which individual will should ideally be expunged. Today, the “free world” is not only fascinated by this dystopia

but is using the power of the state to implement it. The distance between authoritarian forms is getting shorter and shorter.

This totalitarian engineering project, which dwarfs the rudimentary espionage systems of East Germany, tells us in no uncertain terms that democracy, based on the free will of every citizen, is anachronistic; it worked as long as the social and political sciences dominated the study of collective behavior.

Today, high-tech engineering holds the reins and, with the help of neuroscience, cultivates the ambition to design a social system in which the accidents and irrationality that result from choice are monitored to be eliminated and the will redirected. Capitalism in its most advanced form is monopolistic and illiberal.

You don't need to resort to Karl Marx to understand this. The liberal J.S. Mill had sensed that capitalism could destabilize the modern social world and limit personal freedom, not just political freedom: private property, he thought, would be sucked up by the monopolistic tendency, and with it the freedom to choose and make mistakes, to challenge and be autonomous.

This comment has been originally published in the newspaper Domani on June, 30th 2025.

Democracy: Nothing Good on the Western Front

Romano Prodi

On more than one occasion I have expressed my concern about the deterioration of democratic systems in world politics. Initially, I drew attention to the fact that authoritarian countries, starting with China and Russia, were becoming increasingly more appealing, especially in Africa where democracy was younger and more fragile and where leaders, even if democratically elected, quickly abandoned the established rules and centralized all power in their hands, suspending or manipulating future elections.

I then became concerned about authoritarian tendencies that have slowly made inroads in Europe too, where some maintain that a victory in an election confers on governments a total and exclusive power over the whole of society, starting with Parliament, ultimately spreading to the judiciary and the media, and gradually controlling the economy. A change epitomized by Hungary, but which has long characterized Poland and has a growing number of supporters in other countries, including Italy.

However, I would never have thought that this development would become the dominant doctrine and program in the United States, a country where the balance of power (the so-called checks and balances) has always been the benchmark not only for America but for all democracies around the world.

Instead, this revolution was solemnly announced when Donald Trump, in taking on most important political role in the world, accompanied his oath of office with a speech

and a program based not on an equilibrium between institutions and the protection of individual rights, but instead on a power capable of legitimizing virtually unlimited influence not only within the United States but also in those countries where American interests are at stake. It is true that Trump will also have to reckon with the balances and checks on which the American system is based, but, if we take his words literally, we are seeing a change of policy and not just the mere transfer of power from a Democrat to a Republican president.

So it is not inappropriate to speak of a truly revolutionary project that aims to prevail over all obstacles not just as a result of the mandate received, but also because all the major players in the economy, including those who, until election day, had harshly opposed Trump's policies, have immediately fallen into line with them.

Consequently, what we are seeing is a plan which, based as it is on the most important military power and the strongest economy in the world, is forcing us have a change of heart as American democracy and values had always been a guiding light for us..

China and Russia are certainly less concerned about this change. For China, American hostility was in fact a foregone conclusion regardless of whether a Democrat or a Republican won the election. Convinced that new trade barriers would be introduced, China

had already taken steps to protect itself by increasing its exports to the rest of the world, reducing its admittedly gigantic exports to the United States to 2.8 percent of its GDP, and ramping up investment in new technologies. Where Russia is concerned, the threat of further sanctions appears to be more of a starting point for the negotiations on Ukraine rather than a real risk.

It is also true that Russia and China are pleased to see any rift develop in the West. The situation in Europe is more complicated as there are different positions varying from those who have limited themselves to expressing congratulations, those who are in favour of an “eye for an eye” approach and those who have travelled to Washington and shown an acritical adherence to the new American policy. However, at least as regards customs duties, the European strategy must be coordinated by the Union, given that trade policy is the responsibility of the EU, not of the individual States.

Trade between the United States and Europe is massive, accounting for 30 percent of all world trade with a \$156 billion European surplus for goods and a \$104 billion American surplus on services. Trump intends to balance these numbers out by imposing tariffs on our goods, increasing exports of liquefied gas, and boosting the US competitiveness by exploiting the low cost of the coal and hydrocarbons on which US industry relies.

On top of this, there has been a breakdown in the current negotiations which would have allowed the huge profits made in Europe by the major network companies (starting with Google, Apple, Facebook, Amazon, Microsoft) to be taxed at least at the lowest rate. Besides all of this, the individual European States will have to buy even more weapons from the US before Europe can put a common policy of its own in place in this sector. Such a radical upheaval of transatlantic economic relations could only push the European Union to look for other markets elsewhere, thereby making Russia and China’s goal of breaking Western unity become a reality.

We are therefore facing economic problems which are fraught with consequences. Despite all of this, the measures that have already been announced and decided of suspending all international solidarity are far more serious: the end of all cooperation on environmental policy, the withdrawal of the United States from the World Health Organization, the threats to the territorial integrity of other countries and the creation of a cryptocurrency system that is beyond all control and does not comply with any rules.

What is most surprising and alarming about this return to the past which is being passed off as the future, is the reaction that prevails in the world today: no moral rebellion or even adequate political responses, but only resignation and weariness.

This comment has been originally published in the newspaper Il Messaggero on January, 25th 2025.

European Budget: Are We at Risk of Losing Our Way?

Antonio Padoa Schioppa

At the initiative of President Ursula von der Leyen, the European Commission has placed in the center of its governance agenda for the 2025–2029 legislature the bold proposals outlined in the Draghi Report, which she herself commissioned, alongside those of the equally forward-looking Letta Report, mandated by the Commission by the European Council. Both documents underscore the pressing need for ambitious measures aimed at making the European Union globally competitive – thereby strengthening its strategic autonomy and its capacity to safeguard its own development and security.

A fundamental precondition for achieving these objectives is the reinforcement of financial resources earmarked for European public goods – areas in which even the largest Member States cannot act effectively through their national budgets alone. Draghi estimated the scale of these resources to as much as €800 billion annually, while stressing that only a portion should come from public funds. The remainder must be mobilized to effective incentives to stimulate private investment, which is potentially available but requires support during the launch phase – just as has happened, and continues to happen, in the United States. This imperative is particularly acute in strategic domains such as defence, next-generation satellite systems, frontier technologies, sustainable energy, and artificial intelligence.

President von der Leyen has voiced a strong and explicit commitment to strengthening

the Union, especially in the field of common defense, but also in other domains. The defense initiative, endorsed by the European Council, envisions €650 billion in loans provided by Member States and €150 billion directly from the EU budget. The approach, therefore, is to allocate the majority of financial responsibility to national governments, within a framework of priorities coordinated with the Commission.

There is well founded concern that this strategy risks diverging from the stated objectives, which clearly call for rapid consolidation of the Union's capacity to confront major ongoing crises. If the lion's share of resources is entrusted to the Member States, the goal of constructing a truly common European defense will be jeopardized. A possible corrective measure would be to mandate the transfer of a substantial portion of those seven-year resources directly into the EU's defense budget. Yet such a step will not be easy to implement.

In addition, Member States with high levels of public debt are likely to resist proposals involving new borrowing, fearing adverse effects on market spreads. The dynamic would affect Germany's role in European defense, given its comparatively low public debt and minimal exposure to such financial risks. The resulting asymmetry would not only create imbalances in leadership and burden-sharing, but also hinder the pursuit of economies of scale and operational efficiencies that can only be achieved through harmonised standards and joint procurement.

While the €150 billion to be spent at the EU level is certainly significant, it remains far below the threshold needed to achieve a genuine common defense capacity, as experience clearly demonstrates.

More recently, President von der Leyen has put forward initial proposals for designing the next Multiannual Financial Framework (MFF) for the period 2028–2034. This proposal, expected to be presented to the Council and Parliament by July, will take up to two years to finalize. In this case also, the Commission’s suggested approach is to grant Member States greater discretion in allocating European funds, moving away from the current model in which predefined shares are allocated to key policy areas – such as agriculture, cohesion, and social policy – and must be used consistently and transparently within those areas.

Nonetheless, this model also entails a significant risk: it may undermine the Union’s ability to invest in major, cutting-edge initiatives that lie beyond the reach of individual Member States. From satellite constellations to artificial intelligence, from global computing platforms to nuclear fusion, from hydrogen technologies to large-scale strategic investments in Africa, such endeavours demand a genuinely European approach – not a fragmented mosaic of national programmes. What is needed is a fully integrated European capital market,

a completed banking union, harmonized corporate rules (as emphasized by Letta), and greater European autonomy from the dominance of the U.S. dollar.

A further concern arises from President von der Leyen’s latest proposals:

Although they rightly call for the introduction of new EU own resources – an essential step in principle – this tool alone will be insufficient given the scale of the challenges the Union faces. It must be complemented by resources derived from the issuance of common European debt instruments, specifically dedicated to the financing of European public goods. In recent weeks, both Olivier Blanchard (on May 7) and Mario Draghi (on May 14) have spoken with unmistakable clarity of issue. The path forward is undeniably complex – but it is both necessary and entirely within reach.

We must be fully aware that the three serious risks outlined here – if not addressed in time – could gravely and perhaps irreversibly undermine the Union’s future. Whether in defense, development, or competitiveness, the Union must be able to act with the authority and capability of a sovereign actor, rather than relying solely on intergovernmental agreements and national contributions.

Hic Rhodus, hic salta. Time is running out.

The Brake Posed by National, Legislative and Policy Fragmentation on European Competitiveness

Stefano Rossi

Introduction: fragmentation as a structural bottleneck for European competitiveness

In recent decades, the European Union has faced mounting challenges stemming from globalization, technological transformation, and geopolitical shocks. Within this evolving context, the issue of Europe's competitiveness has increasingly emerged as a systemic concern, cutting across key strategic domains such as innovation, energy, defense, and economic governance. A major structural weakness, however, continues to undermine the Union's capacity to respond effectively: persistent fragmentation at the national, legislative, and policy levels.

This fragmentation significantly hinders the EU's ability to act as a cohesive actor. It limits the effectiveness of common policies, reduces economies of scale, and obstructs the emergence of genuine European champions in strategic sectors. As emphasized in both the Letta Report on the future of the Single Market and the Draghi Report on competitiveness, internal fragmentation is now one of the primary constraints on Europe's prosperity – as well as its ability to uphold its values and socio-economic model globally.

This paper adopts a systemic perspective to analyze the principal dimensions in which European fragmentation manifests, drawing on the insights of the Letta and Draghi reports. These include research and innovation, capital markets and industry, regulatory and fiscal frameworks, energy, and defense and security.

The paper will also explore reform proposals already on the table – such as the idea of a “28th regime” – and the opportunities afforded by a renewed application of the subsidiarity principle.

Fragmentation and innovation: an obstacle to the fifth freedom

The Letta Report puts forward a visionary extension of the four fundamental freedoms of the Single Market – free movement of people, goods, services, and capital – by proposing a “fifth freedom”: the free movement of knowledge, research, and innovation. This bold idea aims to promote a European innovation ecosystem that is no longer based on fragmented national initiatives, but instead grounded in an integrated, ambitious strategy capable of translating scientific excellence into economic growth and social progress across Europe.

However, the realization of this fifth freedom is currently hampered by fragmented funding mechanisms, governance models, and regulatory frameworks across Member States. This fragmentation is particularly evident in access to capital for start-ups and innovative enterprises. Europe suffers from a chronic weakness in the venture capital sector compared to the United States: European funds are typically smaller and more risk-averse, in large part because they operate in still largely national, undercapitalized markets.

To grasp the scope of the problem, consider a venture capital fund with a modest portfolio

– say, €20 million. Such a fund is unlikely to allocate €10 million to a single investment, as this would undermine its ability to diversify risk. Under such constraints, many innovative European companies seek funding overseas, leading to a transfer of intellectual property and economic value outside the EU. This dynamic contributes to the so-called innovation gap between Europe and other major global economies.

Beyond financing, regulatory fragmentation also plays a detrimental role. The absence of a common framework in areas such as corporate, tax, and insolvency law complicates the cross-border expansion of innovative companies, forcing them to navigate diverging legal systems and cumbersome procedures. This translates into high compliance costs and a proliferation of legal and fiscal consultations – resources that could otherwise be allocated to productive investment.

In sum, legal and political fragmentation constitutes a systemic barrier to the development of an integrated European innovation ecosystem capable of supporting the continent-wide technological and ecological transition.

The capital market and the need for a common financial base

Capital markets represent another domain where fragmentation seriously undermines European competitiveness. The lack of a fully realized Capital Markets Union (CMU) limits the efficient allocation of financial resources across the EU and constrains the growth of firms, especially those with high innovation potential.

Although the CMU initiative was launched by the European Commission as early as 2015, progress has been modest and fragmented. As noted in the Draghi Report, the European financial system remains heavily dependent on loosely integrated national markets, where firms rely primarily on bank lending rather

than equity or venture capital. This model not only increases vulnerability to financial shocks but is also poorly suited to long-term, high-risk investments – such as those required for digital transformation and the green transition.

Fragmentation is also apparent in the banking sector. While the Banking Union has been formally initiated, it remains incomplete: there is still no common deposit insurance scheme, and genuine consolidation of banking systems across borders has yet to occur. Major banks continue to operate predominantly within national boundaries, and cross-border mergers are obstructed by both regulatory barriers and political reluctance.

A noteworthy example is the potential merger between Unicredit and Commerzbank, which could have served as a significant precedent toward the formation of pan-European banking institutions. However, as long as national governments treat their banking systems as strategic domestic assets, a genuinely integrated banking market will remain out of reach. Yet without a strong, continent-wide financial foundation, Europe cannot sustain the investment effort needed to restore and strengthen its global competitiveness.

The regulatory challenge: toward a “28th regime”?

The EU’s legal and regulatory environment continues to reflect a high degree of heterogeneity among Member States. In areas critical to business development – such as company law, commercial law, insolvency law, and taxation – significant divergences persist, complicating the ability of firms to operate across borders.

Member States retain primary competence over these areas, and attempts at harmonization – such as the idea of a European Civil Code – have been met with resistance from national legal traditions. Nonetheless, an intermediate path between mandatory harmonization and

the status quo is conceivable. Both the Letta and Draghi reports have discussed the idea of introducing a “28th regime” – a voluntary set of common European rules on corporate, commercial, and insolvency matters, which companies could opt into as an alternative to national regimes.

This approach would resemble the U.S. model, where many companies – despite operating across multiple states – choose to incorporate in Delaware due to its business-friendly legal environment. Similarly, a European “28th regime” could offer a consistent, predictable regulatory framework designed to facilitate cross-border activity and reduce compliance costs.

Such a regime would not only foster the emergence of genuinely European firms but also provide a practical means of mitigating regulatory fragmentation without enforcing top-down unification. It would represent a dynamic application of the principle of subsidiarity – providing new tools to those who need them, without diminishing the autonomy of those content with their national frameworks.

Energy and security: the limits of political fragmentation

Political fragmentation also poses a major obstacle in areas such as energy and security, where collective action is essential to building common European public goods. In the energy sector, the crisis triggered by Russia’s invasion of Ukraine exposed Europe’s strategic vulnerabilities – particularly its heavy reliance on external suppliers and its lack of a unified energy policy.

Although an internal energy market exists in principle, Member States continue to negotiate their own energy contracts independently, leading to significant price disparities and weakening the Union’s collective bargaining power. The proposal – originally advanced by the Italian government and later endorsed by the Commission – for joint gas procurement

marks an important step forward. But it must be embedded within a broader strategy aimed at constructing a true European Energy Union.

Similar logic applies to defense. Fragmentation among national industries, duplicated investments, and the absence of aggregated demand hinder the development of a common European defense base. Member States continue to fund their own projects in isolation, undermining potential synergies and hampering the coordination of R&D.

One possible solution, consistent with earlier proposals, is the creation of a “28th defense” regime: a set of shared European capabilities and instruments that Member States could voluntarily support. This would not involve merging national armed forces but rather creating an additional European pillar to support joint missions and enhance collective resilience.

Conclusion: overcome fragmentation to boost competitiveness

Europe’s future competitiveness will depend, to a large extent, on its capacity to overcome internal divisions and act more cohesively and effectively. Fragmentation – whether regulatory, political, or financial – has become a structural impediment that stifles innovation, increases costs, limits scale, and weakens Europe’s global influence.

Overcoming fragmentation does not necessarily require full unification. On the contrary, the principle of subsidiarity remains a cornerstone of European integration, and in some domains, diversity can enhance the system’s overall resilience. Nevertheless, in strategic sectors such as innovation, finance, energy, and defense, the construction of common tools and the removal of internal barriers have become urgent priorities.

Only by acting with greater unity and strategic foresight can Europe sustain its socio-economic model, safeguard its democratic values, and play a meaningful role on the global stage.

Statement of Solidarity Silencing the Mandate: US Sanctions on Francesca Albanese - A Symbol of International Law's Twilight

Shape

Imagine a scene worthy of Orwell's worst nightmare: a United Nations envoy, appointed to report on human rights violations, excellently performing in her job despite formidable difficulties, and met with sanctions by one of the world's most powerful nations. But this isn't satire; it's July 2025.

SHAPE – the global human rights and global reform organization – stands in full solidarity with UN Special Rapporteur Francesca Albanese, whose crime was to fulfil her mandate independently and fearlessly in the face of baseless opposition from transgressing governments, notably the United States and Israel.

On July 9, Secretary of State Marco Rubio – yes, that Marco Rubio – barring Albanese from entering the US. His justification? A 2025 Executive Order (E.O. 14203), originally aimed at the ICC Chief Prosecutors, had been weaponized to freeze her assets, revoke her visa, and dissuade any US entity from doing business with her. The reason? She had the audacity to publicly criticize Israel – and Italy, France, Greece – for aiding Benjamin Netanyahu, who is himself wanted for prosecution under an ICC arrest warrant for alleged war crimes in Gaza.

Those who raised their eyebrows, the UN Secretary-General, the ICC, Human Rights

Watch, Amnesty International and the International Commission of Jurists, warned that this move is a “dangerous precedent.” Indeed, what better way to blunt the toothlessness of human rights scrutiny than by slapping sanctions on one of its most vocal advocates?

1. Purposeful Irony: Sanctioning Those Who Name Crimes

Let's begin with the basics, or what should be normal practice in a functional international system. UN Special Rapporteurs enjoy immunity from all forms of governmental interference with their UN duties under the 1946 Convention on the Privileges and Immunities of the UN, shielding them from legal or financial retaliation for official duties.

The US is under an additional set of obligations under the Host Country Agreement given that UN Headquarters are situated within its sovereign territory. The International Court of Justice reaffirmed this in 1999: special rapporteurs, when on mission for the UN, are immune from any legal obstruction imposed by UN member states.

So why sanction Albanese? Because she dared call out genocide. In her June 2025 report, she accused more than 60 corporations—including major US firms – of enabling what she termed an “economy of genocide” in Gaza. If pointing

out war crimes is now grounds for punishment, congratulations. We've officially redefined accountability as a potentially punishable response to criminality.

As Amnesty International's Secretary General Agnès Callamard put it, these sanctions "are a shameless and transparent attack on the fundamental principles of international justice." Meanwhile, Human Rights Watch's Liz Evenson warns that this is "attempt[ing] to deter prosecution of Israeli war crimes and genocide in Gaza." Let's call it what it is: sanctioning of truth-telling that by proper legal procedures can lead to the prosecution and punishment of perpetrators.

2. Chilling the Watchdogs: A Gag Order on Global Justice

The United States, championing freedom and democracy, now shows us how to muzzle independent experts. The sanctions on Albanese are not an isolated instance. They follow a travel ban on ICC Chief Prosecutor Karim Khan in February and sanctions on ICC judges in June.

Rubio described Albanese's work as "illegitimate and shameful," accusing her of antisemitism and supporting terrorism. Irony of ironies: her report highlighted corporate complicity in mass killing, yet she is absurdly accused of launching a hateful campaign and of all things, engaged in 'economic warfare' against Israel and the United States. It's like prosecuting a fire alarm for disrupting sleep. This is not just an insult to one individual, it is a threat to the entire UN system of Special Procedures. As ICJ's Saïd Benarbia pointed out, punishing Albanese "presents an existential threat to the mandate of all UN Special Procedures and the entire UN human rights machinery." In other words – researchers, investigators, and rapporteurs, take note: speak truth, face sanctions.

Even the ever cautious UN High Commissioner for Human Rights Volker Türk urged Washington to "reverse course" and reminded the US Government that "even in the face of fierce disagreement, U.N. Member States should engage substantively and constructively, rather than resort to punitive measures." But apparently, diplomacy is for wimps. As of now, Türk's remark has been greeted with stony silence.

3. The Legal Farce: Jurisdiction Baked, Immunity Ignored

One of the peculiar justifications for these sanctions is that the ICC lacks authority unless the accused's home country is a party to the treaty. This ignores the Rome Statute and decades of ICC jurisprudence. In any case, territorial jurisdiction established by Palestine's accession to the Rome Statute of the ICC (January 2, 2015) is entirely sufficient.

Thus, the Executive Order and Rubio's rhetoric are legal fictions. Worse, labeling Albanese's call for cooperation with the ICC as "lawfare" exposes the real motive: it's politics, plain and simple. And as Amnesty notes, these measures "are a continuation of the Trump administration's assault on international law and its efforts to protect the Israeli government from accountability at all costs."

Albanese has retorted poignantly that the sanctions "are not a sign of power, it's a sign of guilt" Indeed: it's the sound of a system creaking for fear of scrutiny.

4. Stand with SHAPE: Defending Integrity, Accountability, and Justice

At SHAPE, we see this for what it is: a naked attempt to discredit international human rights safeguards and insulate Israel and complicit states and corporations from criticism and, above all, accountability. We salute Albanese's courage, her steadfast independence, her faith in law and justice,

and her readiness to call out the ugliest realities. She stands on the side of justice, not because she seeks glory, but because she was appointed to be a truth-telling witness and qualified expert with precisely that UN assignment.

SHAPE's mission is to reinforce and strengthen a global order based on human rights and justice-driven law. By targeting Albanese, the US has targeted that order. Enough. We call on every state and international body with a shred of commitment to justice to condemn these sanctions in clear terms.

The European Union, UN General Assembly, ICC States Parties, NGOs, academic institutions, and law firms must do more than issue statements. They must pressure Washington to immediately rescind the sanctions. The inter-governmental system has failed to halt genocide for more than 21 months, leaving it up to the peoples of the world to rise up, and demand protection of the Palestinians people, too long victims of acute injustice.

This isn't just about Albanese. It's about whether UN appointed investigators anywhere can shine light on atrocities without fearing asset freezes or travel bans from mighty powers.

5. When Diplomacy Turns to Bullying: The Dangerous Shift

There was a time when sanctions were tools of last resort, used against terrorists, dictators, nuclearism. Today? They're fashionable weapons in geopolitical chess. Want to silence a rapporteur? Freeze her bank account. Want to pressure the ICC? Sanction its judges. Want the world to stay silent on Gaza? Threaten anyone who calls the genocidal ravaging of the Gaza Strip what it is.

Rubio claimed Albanese has "spewed unabashed antisemitism," despite her scholarly record, established humanistic outlook, and

detailed, footnoted reports. But what better smear against a truth-teller than accusing her of hate? It's a classic: shout "antisemite" loudly and often enough, and any serious engagement with her evidence becomes problematic.

The US's position risks normalizing a dystopian bargain: we'll respect your freedom of speech – just don't say anything we dislike. The rest of the world must reject this bargain.

Conclusion: The Moment to Choose

SHAPE stands squarely with Francesca Albanese as she faces sanctions for exposing genocide, urging corporate accountability, and holding autocrats and their allies obliged to show respect for international law. This moment demands clarity: do we defend international justice and the UN from political retribution, or do we cower when giants resort to coercion?

We choose justice. We choose accountability. We choose Albanese.

To Rubio, Trump, and any official who thinks silencing a rapporteur is diplomacy: shame on you. By attacking Albanese's immunity and independence, you're attacking the idea that truth matters. And that cannot stand.

SHAPE urges all states to demand the immediate retraction of all sanctions under Executive Order 14203 against Albanese – and any UN official or appointee that in the future may be harassed for doing their job. We affirm our full solidarity with her, and to the defense of international human rights mechanisms everywhere.

We end with a simple message: You may freeze a bank account or revoke a visa, but you cannot freeze truth, you cannot revoke justice. Silence is not an option. The world is watching.

Europe's Political Shift: The Rise of Nationalist Parties and the Case of Alternative for Deutschland

Alina Cherri

The European Union is currently facing a convergence of crises, both external and internal. The war in Ukraine, the protracted conflict in the Gaza Strip, the brief but intense confrontation between Israel and Iran, and the ongoing civil war in Sudan are among the many international developments demanding the attention of Brussels. Yet the domestic landscape within the Union is far from stable. The ongoing conflict in Ukraine, coupled with a heightened sense of insecurity among neighbouring states and the partial disengagement of the United States, has prompted European countries to reconsider the continent's security architecture. Moreover, nationalism emerges as particularly salient. Over the past year, there has been a notable rise in support for nationalist and far-right parties across Europe. In 2022, Brothers of Italy secured electoral victory. Although they did not win the 2024 elections, both the National Rally in France¹ and the Freedom Party in Austria² achieved historic results, largely due to their anti-immigration and anti-EU rhetoric. Most recently, the early elections of February 2025 delivered a record-breaking performance for Alternative für Deutschland (AfD)³, whose popularity has continued to grow in the post-election period. Once peripheral actors, nationalist parties have become central protagonists in European political arenas. This raises critical questions regarding the origins of this phenomenon and the broader implications of its resurgence. The momentum of nationalist movements is unmistakable: even Germany

– a state where nationalism has long been considered taboo since the end of the Second World War – now finds itself at the epicentre of this political shift. AfD, initially established as a Eurosceptic party, is increasingly positioning itself as a viable contender for leadership at the heart of Europe. Given its populist and xenophobic rhetoric, the AfD may be regarded as a threat to democracy and European integration.

Leaving European values behind? The far-right turn

Nationalism is commonly defined as an ideology that prioritises the interests of a homogeneous group, united by shared origins and/or characteristics such as history, language, and culture – often to the detriment of those outside the group. Historically, there is ample evidence of a recurring pattern whereby nationalism tends to gain traction in the aftermath of various crises – financial, social, or otherwise. Nationalist and far-right parties frequently exploit such crises to build support, typically identifying scapegoats – such as migrants – as the root cause of the turmoil or public discontent. The recurring themes found in the manifestos of these parties include anti-immigration stances, Euroscepticism, an emphasis on national sovereignty, the promotion of traditional values, and cultural conservatism.

When defined in exclusionary and ethnically based terms, nationalism poses a clear threat

to democratic principles and values – the very foundations upon which the European Union was established. For instance, far-right parties, when in power – as exemplified by prominent cases such as Hungary and Poland – have challenged the rule of law, notably by undermining judicial independence and weakening systems of checks and balances. Moreover, executive authorities have sought to assert control over the media, thereby restricting freedom of expression. One of the most visible manifestations of nationalism within European borders is its tendency to exclude segments of the population on the basis of ethnicity, religion, or language. A concrete example of this phenomenon occurred during the German federal election of February 2025, when AfD distributed so-called “deportation leaflets” targeting immigrants. These flyers, styled as airline tickets, suggested plans for the remigration – effectively, the deportation – of thousands of immigrants to their “safe countries of origin”.

Among the most frequently cited positions of nationalist political leaders are vehemently anti-Islamic rhetoric and strong opposition to immigration. Such parties characterise immigration, globalisation, Islam, LGBTQI+ rights, atheism, and alternative family models as existential threats to what they perceive as the traditional European society shaped in the twentieth century. Migration – particularly when associated with the growing visibility of Islam – is often depicted as the principal threat to European stability. In far-right discourse, migrants are portrayed as doubly culpable: first, for allegedly refusing to integrate into host societies, and second, for “polluting” Western culture with their values and beliefs⁴. These parties routinely disseminate a generalised narrative linking migration to rising crime rates. Such discourses serve to undermine the rights of minorities and immigrants and pose a significant challenge

to pluralism – one of the cornerstones of the European project.

Nationalist parties exhibit a pronounced anti-EU sentiment – an attitude that warrants a more nuanced analysis on two distinct levels. Ideologically, these parties tend to endorse a centralisation of power at the national level, a stance that fundamentally clashes with the principles of the European Union. They are typically opposed to the notion that member states should cede aspects of their sovereignty to supranational institutions. This opposition is often rooted in a deep-seated suspicion of federalism; whereby even minimal transfers of authority are perceived as existential threats to the integrity of the nation-state⁵. This ideological stance translates into significant operational consequences. Nationalist parties consistently prioritise national interests, advocating for stringent border controls and rejecting cooperative approaches to transnational challenges such as migration and climate change. They typically oppose the principle of burden-sharing and resist joint frameworks designed to address refugee resettlement or asylum distribution. In the economic realm, they frequently call for monetary autonomy, voicing strong opposition to redistribution mechanisms – such as EU structural funds – which aim to support less affluent regions within the Union.

Paradoxically, nationalist parties have also greatly benefitted from their participation in the European Union. They may thus be characterised as both critics and beneficiaries of the EU. While they often denounce supranational integration, they nonetheless support European cooperation insofar as it is framed as collaboration among culturally and historically similar nations. However, as noted above, they reject cooperation in domains that challenge national sovereignty or require solidarity beyond perceived cultural affinities.

Nationalist parties can, in a certain sense, be regarded as champions of Europe, particularly in light of recent European Parliament elections, in which they secured more seats than in previous years. These electoral gains at the European level have translated into increased legitimacy and visibility within their domestic political landscapes⁶. While vocally critical of the EU and dismissive of its core values, these parties remain, in many respects, indebted to Brussels. Indeed, without their success in European institutions – facilitated through access to EU funds and symbolic capital – it is unlikely they would have achieved such prominence at home.

This success also poses a significant threat, as it tends to place pressure on centrist governments and contributes to the consolidation of far-right coalitions. Consequently, the impact of nationalist parties is felt not only at the domestic level but also across the European sphere. Their growing influence enables them to shape political agendas, both nationally and transnationally, while also fostering networks among ideologically aligned parties throughout Europe.

The (Not So) Surprising Case of the AfD: The Rise of the Far Right in Germany

From the early 2010s, far-right parties began to achieve significant electoral success across Western Europe, although – for a brief period – Germany appeared largely immune to this trend. However, this changed with the rise of the AfD. In its first national election, the party narrowly failed to cross the electoral threshold. Yet by the 2017 federal election, it secured 12.6 per cent of the vote, becoming the third-largest party in the Bundestag. At the outset of this political ascent, analysts and scholars engaged in intense debate over the party's ideological positioning, as well as the motivations and characteristics of its electorate. It is worth noting that the AfD is not the first far-right

party in post-war Germany to attempt to gain representation in the Bundestag; however, it is by far the most successful. Originally founded as a single-issue party opposing the Eurozone's structure and policies, the AfD gradually expanded its platform to encompass a broader range of issues and adopted strategies that were absent at the time of its inception. The 2015 refugee crisis – an event that dominated the German political agenda – presented the AfD with a critical opportunity to broaden its appeal. Party leaders capitalised on the situation by placing migration and asylum at the centre of their political campaigns and public discourse. During this period, the AfD adopted increasingly populist and radical rhetoric, while also building transnational networks with like-minded nationalist parties across Western Europe⁷. Although its support base was initially concentrated in eastern Germany, the party has since expanded its reach across the country. The East remains its stronghold – where it often emerges as the leading political force – but the AfD has now become the second-largest party nationally and, in several recent polls, has even surpassed the CDU in some regions. The AfD can no longer be dismissed as a mere protest party. Its growing support reflects a deliberate and ideologically driven alignment with radical right-wing positions among segments of the German electorate. The rise of nationalism tends to erode democratic values among the electorate, which increasingly supports radical migration policies – often more severe than those advocated by the ruling CDU. The threat posed by the AfD's positions has not gone unnoticed. The Bundesamt für Verfassungsschutz – Germany's domestic intelligence agency responsible for monitoring ideological extremism and assessing threats to the constitutional order – has formally classified the party as engaging in extremist activity. According to the agency, the AfD exhibits erwiesenen extremistische Bestrebung, meaning

it is involved in proven extremist endeavours. According to the agency, the AfD undermines human dignity by privileging certain segments of the population while targeting specific groups, thereby fomenting hatred—particularly against migrants, refugees, and Muslim communities. In conclusion, the AfD

represents not only a threat to Germany's democratic order but, given its broad domestic appeal, growing influence at the European level, and capacity to disseminate nationalist and hateful rhetoric, it also poses a serious challenge to European values and the broader project of integration.

1. For further discussion of this topic, see the article published by Le Monde (2024): https://www.lemonde.fr/en/politics/article/2024/06/09/2024-european-elections-far-right-rassemblement-national-achieves-historic-success_6674319_5.html.
2. For further discussion of this topic, see the article published by BBC (2024): <https://www.bbc.com/news/articles/c8rdygy5888o>
3. For further discussion of this topic, see James F. Downes, 'The 2025 German Election: Far-Right Surge and Coalition Collapse', The Loop, European Consortium for Political Research, March 4th 2025 (accessed 15 July 2025)
4. Iason Kazazis, *The Creeping Ascent of the Far-Right in Mainstream European Politics and How to Stop it*, The London School of Economics and Political Science, February 6th, 2024, (accessed 20.07.2025)
5. Marta Lorimer, *Pro-European, anti-EU? The National Rally and European integration*, in *The Right-Wing Critique of Europe*, 2022, Routledge
6. Catherine Fieschi, 'European Institutions: The Far-Right and Illiberal Politics in a Liberal Context', (2000), 53, *Parliamentary Affairs*, 517, 521
7. Carl C. Berning, 2017, *Alternative für Deutschland (AfD) – Germany's New Radical Right-wing Populist Party*, ifo DICE Report, ifo Institute - Leibniz Institute for Economic Research at the University of Munich, vol. 15(04), pages 16-19, December.

Recalibrating Normative Dialogue: AU-EU Cooperation on Digital Rights Beyond the Rhetoric

Imane Lahrich

In an era where digital norms are becoming a central terrain of geopolitical influence, the partnership between the African Union (AU) and the European Union (EU) on digital rights reveals both the promise of cooperation and the persistence of structural imbalance. The EU presents itself as a global norm entrepreneur, showing its vision of digital rights through instruments, as the General Data Protection Regulation (GDPR) and the broader “Brussels Effect”.¹ Meanwhile, African actors increasingly emphasize digital sovereignty, technological self-determination and decolonial justice. This divergence is more than rhetorical: it reflects a deeper misalignment in strategic priorities, normative frameworks and political economies. This article argues that the AU–EU digital rights agenda cannot evolve without a clear reckoning with three critical challenges: normative asymmetry, the politics of conditionality, and the securitization of digital cooperation.

Normative Asymmetry and the Limits of “Partnership”

European digital policy exports operate under the assumption of universality. The GDPR², particularly, has globally become a benchmark for privacy and data protection. Its extraterritorial reach affects trade agreements, investment flows, and international development programs. However, when this normative model is extended to AU–EU cooperation, it too often bypasses mutual

negotiation in favor of regulatory convergence. Rather than co-defining digital rights, the AU is expected to align with pre-established standards, despite vast contextual differences in infrastructure, institutional capacity, and legal systems.

This asymmetry is institutionalized in frameworks. One of the most relevant is AU–EU Digital Economy Task Force, where strategic language around “shared values” conceals the one-directional nature of norm diffusion. African contributions are frequently reduced to inputs rather than co-authored frameworks. The result is a hollowed-out model of dialogue, where local priorities such as data localization, infrastructure ownership, or indigenous digital innovation are subordinated to compliance metrics anchored in European legal doctrine. While the AU’s Digital Transformation Strategy (2020–2030)³ provides a continental vision rooted in local realities, it struggles to assert parity within interregional forums shaped by donor logic and technocratic expertise⁴.

Conditionality, Funding Architecture, and the Erosion of Agency

Much of the AU–EU cooperation on digital development is embedded in asymmetrical funding mechanisms. Under the banner of “capacity-building,” European institutions provide financial and technical assistance tied to performance indicators that reflect

EU priorities. Whether in cybersecurity, e-governance, or data infrastructure, the architecture of support remains anchored in conditionality. This is visible in initiatives such as the Global Gateway, where digital investments are often contingent on regulatory alignment and favorable market access for European technology firms⁵.

This model amplifies structural dependencies rather than enabling sovereign development. African states, already grappling with fiscal constraints and uneven digital infrastructure, face limited room to deviate from EU-defined trajectories. Regulatory harmonization becomes less a matter of consensus and more a prerequisite for accessing funds, advisory support, or participation in pilot programs. The political consequence is the narrowing of policy space. African governments and regional organizations are constrained in experimenting with alternative models of data governance, public-private partnerships, or localized technological innovation.

Moreover, the funding flows rarely empower civil society, local innovators, or regional institutions with equal agency. While the discourse of inclusion is pervasive, the decision-making power remains skewed toward European institutions and their implementing partners. A recalibrated digital partnership requires a fundamental rethinking of how resources are distributed, who sets the terms of engagement, and how African institutions are empowered to lead rather than follow⁶.

Securitization, Surveillance, and the Authoritarian Risk

The securitization of digital cooperation represents one of the most underexamined yet consequential dynamics in the AU–EU agenda. In the name of cybersecurity and countering online threats, several European-funded

initiatives have facilitated the expansion of surveillance capabilities and digital identification systems across African states. On the hand these technologies are framed as neutral tools for public administration or crime prevention, on the other they also carry the risk of enabling digital authoritarianism.

In practice, investments in biometric databases, centralized citizen registries, and AI-based monitoring systems often proceed without adequate legal safeguards, human rights assessments, or democratic oversight. In countries with histories of repression or weak judicial institutions, such systems can be easily to repurpose silence dissent, monitor activists, or suppress opposition. The EU's role in financing or advising on such projects is rarely interrogated, and accountability mechanisms remain weak.

This securitized approach risks undermining the very digital rights the EU claims to promote. While the EU has made some efforts to include human rights impact assessments in its external action instruments, these are often post hoc, formalistic, and insufficiently tailored to fragile political contexts. The prioritization of stability, interoperability, and state-centric efficiency over democratic safeguards reflects a deeper tension between security and rights in the EU's external digital engagements.

Africa is not without alternatives. Legal instruments such as the Malabo Convention (2014) establish a continental framework for cybersecurity and data protection. Regional data protection authorities and civic tech ecosystems are advancing critical debates around transparency, accountability, and ethical AI. However, these initiatives remain marginalized within the AU–EU cooperation architecture, which privileges technical assistance over normative co-production.

Conclusion: Toward a New Grammar of Digital Cooperation

AU–EU cooperation on digital rights cannot continue to operate on the logic of one-sided norm diffusion and asymmetrical power dynamics. The global digital order is in flux, and Africa’s place within it must not be determined by inherited models or external prescriptions. What is needed is a new grammar of partnership; one that moves beyond rhetorical alignment and confronts the material and political conditions under which norms are produced, shared, and contested.

Such a recalibration demands institutional reform: co-governance structures with equal African representation, funding models

that prioritize local ownership, and rigorous safeguards to prevent the instrumentalization of digital tools for repression. It also requires an ideological shift, one in which digital sovereignty is not seen as a threat to “open” systems, but as a legitimate expression of agency in an unequal global order.

If the EU is sincere in its commitment to a human-centered digital future, it must be prepared to share not only resources but also normative power. And if the AU is to shape the contours of its digital destiny, it must assert its role not only as a stakeholder, but also a standard-setter. Anything less will only reinforce the very hierarchies that the language of partnership claims to dismantle.

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Towards a European Defense

Roberto Castaldi

The debate on European defense has intensified for two reasons. After first Russia's invasion of Ukraine, Putin transformed the Russian economy into a war economy, and while the intelligence services of various countries fear that Russia will attack an EU member state before 2030. Furthermore, the American guarantee of European security has disappeared, and it will never return.

The American strategic focus has undergone a structural strategy to the Pacific because the global hegemonic clash is with China. The "pivot to the Pacific" began with Obama, who called on Europeans to equip themselves for defense. Yet Europe squandered sixteen years, paralyzed by the fear that strengthening its own capabilities would only accelerate America's disengagement. We lost 16 years, fearing that this would accelerate the American withdrawal. In July 2024, under the Biden presidency, NATO approved the 'New Force Model', which, in the event of a Russian attack on Europe, plans to mobilize 300,000 European troops within a month, before any American intervention. Trump reinforced the process by questioning Article 5 of NATO and the American commitment to intervene in defense of Europeans, seasoned with threats to Greenland, tariffs, and the idea that the EU is an enemy created to screw the US.

For 80 years, Europeans have been able to avoid substantial investment in and worrying about their own security, behaving like children sheltered by their parents' protection. The survival of the West depends on rethinking NATO, transforming it from an instrument of American hegemony and protectorate over

Europe, which the US is in any case unwilling to maintain, into a partnership between equals. This requires the EU as such to join the Atlantic Pact – of which NATO is the operational arm – and a European defense system as the European pillar of NATO.

The question of military spending

Instead of building a European defense, member states are seeking European funds for national rearmament. They already spend nominally more than Russia, and about the same in terms of power, without any deterrence capability. They purchase about 70% of their weapons outside the EU. They use 130 weapon systems, compared to 30 American ones, at a much higher unit cost. So much so that they spend about 30% of what the US spends with 10% of its capacity. In other words, two-thirds of national military spending produces nothing in terms of security, because 27 national defenses do not create a European defense.

Europeans have the necessity to increase their defense capabilities. In order to obtain them, they must identify what capabilities are lacking, what is needed to obtain them, and at what cost if implemented at the national or European level. At that point, the necessary level of defense spending can be identified. Instead, at the NATO summit, they adopted 5% only because Trump decided so, based on Trump's decision, showing that the alliance is a garden with a single tree, surrounded by seedlings.

A European pillar of NATO

With the US demanding more from the EU for its own defense, the Berlin Plus

Agreement between the EU and NATO could be strengthened to allow the EU to use SHAPE, NATO's command and control center, facilitating the creation of European defense as a European pillar of NATO. It could be envisaged that the Deputy Supreme Allied Commander Europe (SACEUR) would be appointed by the EU and would be the EU Chief of Staff, coordinating the nascent NATO New Force Model of 300,000 European troops, European military structures – including the multinational force established by willing countries – and national armed forces.

In this context, the Commission has appointed a Commissioner for Defense and presented proposals, but focusing more on the defense industry – which is also fundamental – than on defense itself. They intend to strengthen national defenses rather than European. The most important proposal consists in the Security Action Facility for Europe (SAFE), with a common debt of €150 billion to be lent to Member States. The inability of Member States to approve the own resources needed to repay the Next Generation EU, is forcing the Commission to envisage a use of SAFE that will ensure that Member States repay the debt. SAFE will only be used by the most indebted states, which pay a higher interest rate on their public debt than the EU. Those paying a lower rate will instead use the safeguard clause of the Stability and Growth Pact, up to 1.5% of GDP for defense spending.

Recently, the EU has set up various instruments, by limited objectives and funds: the European Defense Agency (it has only 180 employees!); the European Defense Fund (EDF) supports research and development in the defense sector with €7.3 billion for 2021-2027; the European Peace Facility (funded by Member States' contributions of over €17 billion for 2021-2027) for EU actions with military implications and support to third

countries, such as Ukraine; The Munitions Production Support Act with over €500 million to support Ukraine; the strengthening of the European defense industry through the European Defense Industrial Procurement Act (EDIRPA) with €310 million in incentives has led to €11 billion in joint purchases (by at least three Member States), 10% of the total purchases of EU Member States; the Defense Equipment Facility (DEF) supports venture capital and private equity funds investing in innovative defense and dual-use technologies with €175 million. The European Space Agency (ESA) manages projects for a European secure communications satellite system. The ESA is not very effective due to the 'fair return' principle, whereby companies from a given country must receive contracts equal to that country's contribution to the project, even if there are other companies capable of doing the work more quickly and efficiently. The European Defense Industry Program (EDIP) is currently being negotiated, with €1.5 billion to support the defense industry in the EU and third countries, including Ukraine.

All these instruments must become building blocks of a European defense system, extending its tasks and financial resources, and allocating a significant part of SAFE's resources to them. Experience suggests that investing €5 billion from SAFE in EDIRPA and increasing the minimum number of countries required to benefit from joint procurement incentives could gradually and significantly reduce the number of weapon systems, increasing the effectiveness of defense spending. In addition, the EU should purchase 'strategic enablers' weapons systems – air defense, troop transport, intelligence, and secure satellite communication systems – that no Member State can afford on its own. Perhaps Joint Undertakings – collaborations between the Commission, Member States, and private entities – already used successfully for Galileo,

supercomputers, and on other occasions, could be a useful tool for this purpose.

How to proceed?

European integration has consistently advanced through initiatives of pioneering groups of States. The first European Coal and Steel, for instance, Community represents a vanguard in contrast to the Council of Europe. Similarly, direct elections to the European Parliament were envisaged for only some Member States. Schengen and the single currency were made possible thanks to a vanguard.

In the field of defense, the Treaties explicitly provide for the possibility of a vanguard through Permanent Structured Cooperation (PESCO), which can be activated by a qualified majority. Through PESCO, it would be possible to communitize existing forms of bilateral and multilateral cooperation between Member States and create a European multinational rapid reaction force, which was decided upon at the Helsinki European Council in 1999 but never implemented.

Six member states – Germany, France, Italy, Poland, Spain, and the Netherlands – alone account for 75 percent of EU defense expenditure. If they took the initiative, everyone would follow. Should they take the lead, it is highly likely that the remaining states would follow. Notably, Spanish Prime Minister Sánchez has already expressed his support for

the establishment of a European army, partly as a means to mitigate the continued rise in defense spending.

A federal defense system, even if initially limited in scale, must nonetheless be autonomous and capable of effectively coordinating national military forces. The United States offers a useful historical parallel: until the Second World War, the federal army remained relatively small, yet it played a decisive role once mobilized within a broader national framework.

Mistakes not to be repeated

In 1971, the end of the Bretton Woods monetary system demanded for a single European currency. Member States did not agree with it and we had decades of monetary instability, inflation, and devaluations until the creation of the euro currency in 1999. Nowadays, we need a true European defense system, serving a foreign policy managed by a European federal government. We cannot wait 30 years.

In creating them, we must avoid any intermediate forms that could hinder the objective. Therefore, it must be underlined that all instruments are within the EU framework, even if open to the participation of third countries, avoiding the creation of coalitions of the willing or other intergovernmental instruments outside the EU together with third countries, which would be impossible to progressively communitize and would therefore hinder the creation of a true European defense.

This article summarizes – and develops in light of the subsequent debate – some reflections presented during the informal hearing at the XIV European Union Policies Committee of the Chamber of Deputies on the prospects for EU defense policy on October 30, 2024. Published in bimonthly bulletin “ID - Informazioni della Difesa”, n° 3-2025, Minister of Defence, Italy.

The Global AI Governance Alliance

Robert Whitfield

The issues

Artificial Intelligence (AI) has immense benefits to offer humanity, but it comes with a range of risks, some ethical, some safety-related, some current, some imminent, and some very grave. If we race to develop AI without precautions, we put its benefits in jeopardy and we threaten the future of humanity. We need trustworthy AI, and we need it now.

Some of the problems associated with AI such as privacy may be best decided nationally, reflecting the local culture. Many issues do however need to be addressed on an international scale, a global scale. It would not be possible for instance to radically reduce / eliminate misinformation without including every state in the world. AI is a cross-border technology, and its governance needs to reflect that fact.

AI ethics embrace such issues as bias, transparency, accountability and privacy. Human rights, democracy and the rule of law are addressed by the Council of Europe's Framework Convention on Artificial Intelligence. That Convention is an important step in the right direction, being the world's first binding international agreement – but it is not (yet) as strong as some would like and the signatories, whilst substantial, are not global. The ethics community has been waiting for a long time for a global agreement embracing AI ethics.

Equity is a key issue, often seen as a subset of ethics, but reflecting in this context the whole question of how access to AI and the associated

wealth generation is to be handled in the future. Power concentration is increasing and is due to increase a lot further. Is this the basis of the kind of world we want? We need to think carefully about the different possible scenarios and make sure that society is moving down the path that it wants to go down, not simply the path that is being laid out by the tech barons. This needs discussion and agreement at the global level.

International business could make good use of AI for the benefit of its customers around the world. But with a global patchwork quilt of regulation being steadily created by nations, the goal of interoperability, that is the interoperability of AI governance systems, is challenging. A global AI Treaty could provide the framework within which this work could be pursued.

The taxonomy of AI safety is multifaceted, embracing both the issues related to the machine itself (and in particular the loss of control of advanced AI) and issues related to humans, particularly bad actors, whether they be terrorists, failed states or others intent on seizing power. But it also embraces risks associated with military AI and risks triggered by a race mentality, pushing safety to the bottom of the list of priorities. Risks associated with advanced AI can be catastrophic or even existential.

The development of AI is associated primarily with two states, the US and China – and only a few companies within those two states. There is a strong argument for an agreement between

these two states to mitigate the safety risks as soon as possible. address and to the headlong charge towards more advanced AI.

The machine related risk reflects the widely held concern that humanity is unlikely to remain in control of something significantly more intelligent than itself. There are already examples of AI systems today exhibiting very disturbing behaviour including attempts to avoid being switched off (writing code in one instance and attempting blackmail in another) and attempts to deceive for other purposes.

Actions by bad actors embrace the risks from enhanced cyberattacks through AI-powered malware, sophisticated social engineering, and deepfakes, as well as the potential for weapons development, from novel bioweapons to information-warfare campaigns. The more powerful the AI, the greater the danger.

Machine intelligence capabilities grew by roughly 30% p.a. from 1952 to 2018 and by some 300% since 2018¹ but there are suggestions that this rate may be slowing down². This would be wonderful news in that it would give governance a chance to catch up. We need every chance we can get because currently the rate of progress in AI capability is dwarfing the rate of progress in AI governance.

AI Global Governance

The UN has recently announced two new initiatives, namely the establishment of the UN Independent International Scientific Panel on AI and the Global Dialogue on AI Governance. These are useful steps forward but they were first agreed in principle at the Summit of the Future in September 2024 and the first dialogue will be 21 months later: AI is developing much faster than our wisdom.

A recent survey by the Seismic Foundation in Europe and the US, *On the Razor's Edge*³ shows that people are concerned that AI will worsen almost everything about their daily lives. People feel AI is developing too fast and there is broad support for regulation of the industry: people do not trust the AI labs to have our best interests at heart.

Whilst Western governments hold a complex and evolving attitude toward the UN, characterized by a fundamental support for its core principles alongside criticisms of its inefficiency and a perceived lack of democratic representation, the Global South support is more overt. A recent BRICS leaders' statement on AI global governance⁴ proclaims a strong desire for AI to "operate under national regulatory frameworks and the UN Charter" and for the need to "strengthen AI international governance through the United Nations system as a fully inclusive and representative international framework".

The way forward

There is clearly a very unhealthy mismatch between the need for effective global governance of AI and the actual negotiation and delivery of such governance. A multitude of actions need to be taken around the world to rectify this situation. One such action is to seek greater coherence amongst those calling for AI global governance. The different groups of concerns are often advocated by different groups of people, with Human Rights activists being vocal about ethical concerns, the Global South being vocal about equity concerns, global business being vocal about interoperability concerns, and (typically newly formed) organisations being vocal about safety and security concerns. Whilst their priorities may differ, these diverse voices share a desire for Global AI Governance.

Comments

The Global AI Governance Alliance – www.gaiganow.org - seeks to bring these voices together to help turn that desire into a reality.

We are committed to:

1. Building an alliance in support of trustworthy

AI global governance

2. Working with Governments to achieve such governance soon

3. Addressing the most urgent issues with pragmatism.

1. Ronn, K., 2024) The Darwinian Trap, Crown Publishing

2. Newport, C. The New Yorker Aug 12th 2025

3. Seismic Foundation (2025) On the Razor's Edge (accessed August 30th 2025) https://report2025.seismic.org/media/documents/On_the_Razors_Edge_Seismic_Report_2025.pdf

4. BRICS Leaders Statement on the Global Governance of Artificial Intelligence <http://www.brics.utoronto.ca/docs/250706-ai.html> (accessed August 30th 2025)

The Israeli-Palestinian Federal Forum

Phil Saunders and Naomi Tsur

Historical Background

In 1947 the United Nations voted to partition Mandatory Palestine into two states. Ever since then, the international community has insisted upon a two-state solution to the Israeli-Palestinian conflict. Largely forgotten is that the 1947 United Nations Special Committee for Palestine also presented an alternative to partition – a federal state embracing the land in its entirety. Though rejected in 1947, this important alternative possibility continues to be developed by independent minds until this day. Daniel Elazar evaluated eleven such federal options in his seminal 1991 book ‘Two Peoples... One Land’, and in 2021 the Israeli-Palestinian Federal Forum was established to bring federalist thinkers together for the first time, in order to generate a common platform for this neglected alternative.

Federal Rationale

The Israeli-Palestinian conflict is a situation where two peoples both lay claim to the same land. If this land were to be divided, neither would fulfil their national aspirations. Their long interrelated history has generated myriad sites of cultural and religious importance to Palestinians and Israelis throughout the land, and both peoples demand unrestricted access to all locations of reverence. Under such circumstances, a pragmatic outcome would be for these two peoples to share the land they both view as their ancestral homeland. However, each of them cherishes their own unique identities and cultures and are steadfastly determined to retain them. Federal arrangements are uniquely positioned to accommodate such situations, and have been successfully implemented in other lands, including some of similar size, population, and complexity.

Embracing Reality

Notwithstanding the numerous wars that have defined the Israeli-Palestinian conflict since 1947, the reality on the ground is that Israelis and Palestinians are becoming increasingly interwoven with every passing year. They share one currency, and their economies are enormously dependent on each other. On the ground they are sliding into a one-state reality, albeit a deeply dysfunctional one. Rather than fight this trend and attempt to enforce a last-minute and very painful disengagement, federalism offers an ethical mechanism to transform this reality into a sustainable shared future, with democratic civil rights, mutual respect and self-determination for both peoples. A federal approach would offer an optimal combination between two states and one state, with the two peoples sharing mutually beneficial resources, while also enjoying self-governance. It would embrace the needs of all parties and transform violent rivalry into a mutually-beneficial win-win.

Local Benefits

Palestinians and Israelis would share the entire land, ensuring everyone’s right to work, travel, and worship anywhere within it, with full equality under federal law. This would be achieved through a step-by-step process, gradually distancing the two peoples from the preceding decades of hostility, and bringing them into a new more positive reality. Domestic security would ultimately be jointly safeguarded, and investment in the economy, environment and tourism would generate prosperity for all. Both peoples would incorporate peace and reconciliation into their educational systems.

Regional Benefits

Israel-Palestine is the birthplace of the three Abrahamic faiths, and there are great commonalities between them. The Abraham Accords recognize that interfaith relationship and seek to transform religion from a source of conflict into a source for reconciliation. A federal solution to the conflict would keep the Holy Land intact, create positive relationships between all religious identities, instead of disconnection and disengagement, and enable the Abraham Accords to reach their full potential. This vision and paradigm are advocated by the Israeli-Palestinian Federal Forum, a group of Israelis, Palestinians, and international supporters who see federalism as the best and most realistic approach for a just, sustainable, equitable and democratic resolution to our conflict. It is a flagship project of the conflict transformation organization Challenge. <https://challenge.org.il/federal-forum/>

Guiding Principles

Members of the Israeli-Palestinian Federal Forum have agreed the following ten principles to guide our work together. Its members have developed a variety of specific plans to achieve the goals set out in the above principles. They all strive to give expression to the ideas inherent in these principles.

1. Federalism is the optimal arrangement of government for a just, sustainable, equitable and democratic resolution to the Israeli-Palestinian conflict. Federal systems are highly customisable to match local circumstances and cultures.
2. The whole land, between the Jordan river and the Mediterranean Sea, is inhabited by diverse cultural communities, including two major peoples: Palestinians and Israelis.
3. A federal solution to the Israeli-Palestinian conflict would enable both peoples to enjoy self-determination, autonomy, security and cooperation, with the benefit of interconnected economies.
4. Both peoples, including their brothers and sisters in the Diaspora, hold a deep and

unbreakable connection to the entire land. Both see it as their ancestral, historical, cultural, religious, and national homeland.

5. Both peoples should be able to implement their right of self-determination within one shared historical, religious, and cultural homeland.
6. We understand that in reality both peoples are increasingly interconnected and interdependent economically, in terms of infrastructure and ecosystems.
7. Both peoples include diverse ethnic, cultural and religious communities. In a federal framework these communities throughout the land can enrich each other and benefit from cooperation, while preserving their distinct identities.
8. We seek a creative paradigm to design a win-win solution for the benefit of all, that finds a balance between our needs for autonomy, security, cooperation, and shared responsibility for the land.
9. Federalism will recognise and protect minority cultures, providing equal opportunities and security for all.
10. The federal framework we develop together, will acknowledge both peoples' struggles, and enable us to build a shared future founded on trust, justice and reconciliation. Having agreed on the above guiding principles, the Israeli-Palestinian Federal Forum is now evolving from an internal working group into an outward-facing movement. We are currently reaching out to Palestinians and Israelis, in the Holy Land as well as in the Diaspora, to join us. At the same time, we are also keen to work closely with veterans of the federal movement in Europe and elsewhere, and to join forces with federal experts from beyond our arena. We gain confidence from the fact that many thriving federal structures in the world were born after decades, if not centuries of conflict. We are convinced that the time has come for all of us to work together, in order to build up our Federal Movement, and pave the way for a Federal Reality in the Holy Land.

Israel-Palestine as a Prototype for Supranational Sovereignty

Yehuda A. Schwartz

Introduction

The Israeli-Palestinian conflict presents us with a challenging problem: how can peace and prosperity be secured when two modern nationalist movements claim the same homeland? Neither the Israelis nor the Palestinians are really willing to divide their homeland into two states or dissolve their distinct identities into a single unified state. Yet, if we study its origins, we will understand why the Israeli-Palestinian conflict is of a unique kind, and we will be able to find inspiration for a unique solution. This conflict is not about the shifting of borders. It is more profound: it is the struggle of one people returning from exile and meeting a new people born of the land: a conflict of identities. This paper advocates a federal solution to this conundrum, partly inspired by the history of these two peoples, and partly by the modern phenomenon of the European Union.

History Inspiring a Solution: From Biblical Tribes to Allied Nations

The federal idea is not new. The biblical federation of the Twelve Tribes of Israel was the first recorded federal polity of Antiquity. The federalist Daniel Elazar wrote: "The federal principle first emerges in the biblical covenant." Biblical Israel was bound by covenant (*berit*), consent and shared law, under direct divine sovereignty. Here lies the theological-political root of federalism in the Abrahamic tradition: belief in a Sovereign of the World (Hebrew *Ribonô shel Olam* - Arabic

Rabb al-Ālamān) as revealed in the desert, showing that Covenant and Law can create a civil nation of nomads without homeland or autochthony. Islam grounded a similar world view in the Ummah, a community beyond borders, linked by divine sovereignty and sharia. It appeared with the first Islamic state in Medina, a federation of Arab and Jewish tribes, allied by the famous Constitution of Medina. It later took pluralist forms, such as the successive caliphates and the Ottoman millet system, a model which the thriving federation of the United Arab Emirates has now inherited. And how do they call their recent alliance with Israel? The Abraham Accords! Indeed, Abraham's relation to the Land is the model: Abraham was not born in the land of Canaan, but in Ur of the Chaldees. His progeny, the Children of Israel and Ishmael, like their father, are not indigenous natives. Their common Abrahamic identity, shaped by the Bible and the Quran, says the very opposite: they are in fact all immigrants – strangers and temporary guests on this Earth, which belongs only to its Creator. Freedom in relation to the land is typical of Abraham the nomad, the immigrant. When relations with his nephew Lot became conflicted, Abraham offered him to share the land between them, and even to choose first the part he preferred (Genesis 13:9). Abraham's relationship with territory was non-possessive and non-exclusive. Here we find a key to the solution: if instead of sticking to their modern and imported nationalism, Palestinians and

Israelis will revert to their original identity as Children of Abraham, they can revive together the covenantal partnership with the land of Abraham the nomad. If we take the religious concept of ownership of the land by the Sovereign of the World and translate it into secular ownership by the Supranational Sovereign, we translate covenant into federation, and have a solution!

Present-Day Reality Inspiring a Solution: The European Union

The European Union offers a very helpful modern comparison, because it comprises many nations collectively embraced within a single supranational umbrella, partly confederal, partly federal. However, the Israeli-Palestinian conflict differs from Europe's past. After centuries of war, European states successfully stabilised borders. In contrast, Israel and Palestine have never succeeded to establish borders between themselves. They are so geographically interwoven that a two-state solution no longer appears feasible. Their only way to enjoy national autonomy and self-determination will be through non-territorial institutions at the state level. A peaceful Israel-Palestine cannot accommodate multiple sovereignties and armies. It must instead embrace one sovereignty standing above the two nations, reflecting the Supranational Sovereign of their Abrahamic traditions. The EU too, in order to complete its evolution, also needs to find a path to supranational sovereignty, to fully implement Altiero Spinelli's federalist vision in his Ventotene Manifesto. This model may in due course inform future European and global federalism.

The Model: One Land, Two Nations, One Federation

Our vision is of two non-territorial nation-states – Israel and Palestine – within a single

federal state covering the land between “the River and the Sea”. At its core is the supremacy of federal law – no one is above the law, not even the nation-states themselves. Yet federal competences remain limited to matters truly common to all: foreign policy, defense, major infrastructure, human rights, resource distribution, and the environment.

Federal State Institutions

1. A jointly elected parliament and government with Jewish–Palestinian parity.
 2. Rotating leadership (President, Prime Minister, Ministers).
 3. Jerusalem as the federal capital district.
- #### Non-territorial nation-states Institutions
4. Two national parliaments and governments – Jewish and Palestinian – governing personal status, cultural, and religious affairs regardless of residence.
 5. Territorial administration: three district types – Jewish, Palestinian, and Shared (jointly administered). Local veto rights allow the preservation of demographic balances instead of rigid national borders.
 6. Land privately or municipally owned, never nationally. Citizenship and Rights
 7. Dual citizenship (federal + national) for all inhabitants – federal ensures equality, while national preserves collective identity.
 8. Mixed families free to choose national affiliation.
 9. Civil service mandatory; military service voluntary for Palestinians during transition.
- This design transcends both the traditional two-state solution and the one-state model. It respects national identities while eliminating the exclusivity of territorial sovereignty.

A Model for Europe – and Beyond

If such a federation can work in the world's most symbolically charged land, it

could inspire Europe to take its next step: turning into a sovereign “Federation of NationsStates”. The challenge is not only legal or institutional, but civilizational. Territorial nationalism, born of the Enlightenment, has failed to include peoples such as Jews, Kurds, Armenians, or Palestinians. Even after two world wars, it continues to fuel deadly conflicts, such as in Ukraine. Ultimately, a supranational covenant offers a different path. Just as Israel–Palestine could be bound by federal law above nations, Europe might

evolve into a federation beyond national sovereignty. In time, this model could even lead to a global World Federation.

Conclusion

An Israeli–Palestinian federation may sound utopian, but its roots are ancient, its rationale coherent, and its potential enormous. If it succeeds, it might also inspire Europe to embrace supranational sovereignty - not against its nations, but for them. It could open a path to a federal family of nations.

Which Reform for the United Nations Security Council?

Daniele Archibugi, Marco Cellini and Azzurra Malgieri

Is the Security Council Still needed?

The Security Council (UNSC) has never played the ambitious role that the architects of the United Nations had intended since it has failed to prevent wars and ensure international stability. Yet, it has served a useful purpose in world politics as a clearinghouse and has been the institutional forum where the great powers could take a stand before public opinion. If the UNSC fails to resolve conflicts, other channels of international crisis management are inevitably activated, such as superpower summits, secret diplomacy, or even outright wars. It is therefore in the interest of international peace and stability that the UNSC can best perform its function¹.

Many informal changes have been introduced in the functioning of the UNSC², but no serious reform has been implemented so far. The use and abuse of the veto, the lack of implementation of the resolutions adopted and the poor attention paid to peripheral conflicts have led to a lack of authority of the UNSC as the central institution for the management of international conflicts and crises.

We conducted a study for the Italian Ministry of Foreign Affairs and International Cooperation in which we attempted to connect the numerous proposals for reform of the UNSC with the actual voting profiles, and the results are here summarized³.

How to Reform the UN Security Council?

The reform of the UNSC has long been

discussed in diplomatic, academic and civil society forums. The General Assembly itself has established an “Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council”⁴. Given that the Working Group was established in 2008, and there have been so many diplomatic talks since 1991, but it has not managed to provide any shared recommendation, it is not surprising that at the UN Secretariat Building it has been nicknamed the “Never-ended Working Group”.

The lack of consensus among member states and, in particular, among the P5, has prevented any substantial change. The need for an update of its structures and decision-making methods is evident, especially considering the geopolitical transformations that have occurred since the end of the Cold War.

The main reform directions - the expansion of representation, the modification of the right of veto, the strengthening of accountability and the involvement of regional actors – are discussed below.

Expanding Representation

One of the most perceived problems of the Council is its lack of representativeness. Currently, the five permanent members (P5) – France, the United Kingdom, Russia and the United States – reflect a geopolitical order dating back to the Second World War. Although the number of elected members (E10) was increased in 1965, the Council still does not

fairly represent the contemporary world. The main imbalances are:

- Geographic representation: Africa, with 54 UN member states, has no permanent seats, while Asia, home to nearly 60% of the world's population, is underrepresented relative to the region's demographic and economic weight.
- Economic representation: Japan and Germany, the world's third and fourth largest economies respectively, are not permanent members, despite their financial contribution to the United Nations being greater than that of the P5 Britain, France and Russia.
- Demographic representation: India, the world's most populous country, does not have a permanent seat, unlike countries with significantly smaller populations.

This has led to a new Olympic race: quite a lot of states are running to secure a permanent seat. The expansion of the Security Council could take place in various ways, but the main debate is whether the new members should have the same status as the P5 or not. Over the years, several proposals have been presented including by the so-called African Group, CARICOM countries, Group of 4, Group of Arab States, L69 Group, and most recently the Italian-led proposal United for Consensus. The reform proposals presented so far can be divided into three main categories:

- Limited enlargement model: This approach involves adding new permanent members without veto power. The Group of 4 (Brazil, Germany, India and Japan) has proposed this solution, arguing that their entry would strengthen the legitimacy of the Council without increasing the risk of decision-making paralysis.
- Enhanced rotation model: It is proposed to introduce seats with longer terms than the current two years, allowing immediate re-

election. This would ensure greater

- Regional representation model: An innovative idea suggests assigning some permanent seats not to individual states, but to regional blocs (for example, one seat each for the African Union or ASEAN, in addition to the European Union). This model would reduce conflicts between national candidates and strengthen regional coordination on security issues.

Would enlargement change the voting results?

The enlargement proposals are understandable and with the changes in the global geopolitical structure, including the funding that individual states pay into the Organization's coffers, there is a desire on the part of many governments to have a more active role in the "control room" of global politics.

But each possible reform of the UNSC cannot ignore the real voting patterns. Figure 1 shows what the votes have been since 1990, when the Cold War ended and another historical era began.

The first significant fact is that most of the resolutions were approved, even unanimously. Only a small number of resolutions had votes against. And even lower is the number of resolutions that were rejected due to the veto of one of the permanent members.

Of course, not all resolutions have the same political weight. It is certainly easier to achieve unanimity on resolutions that are not onerous. The fact that quantitatively the cases of disagreement are few, confirms that international rivalry is concentrated on a few issues. Since 1990, the veto has been used mainly on issues related to the Middle East, the protection of allied regimes and geopolitical competition between great powers. Table 1 shows the issues on which resolutions have been blocked by the veto.

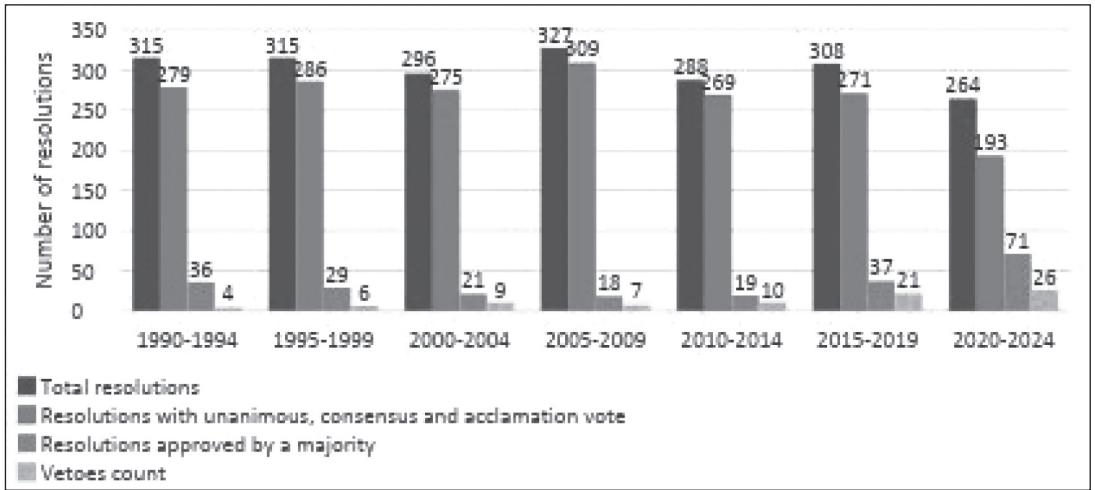


Figure 1: Resolutions approved, with unanimous vote, by majority, and blocked by veto, 1990-2024.

- The United States has vetoed primarily resolutions concerning Israel and Palestine.
- Russia has used the veto to protect its interests in Syria and Ukraine.
- China has only recently begun to veto, and almost always in line with Russia.
- France and the United Kingdom have not used the veto since the end of the Cold War.

None of the enlargement proposals would have substantially altered these voting patterns. There is not much difference if a resolution is blocked with a 14-0-1 result (14 in favour, 0 abstention and 1 vote against) or with a 26-0-1.

Can the power of veto be limited?

The real issue, then, is the ability to prevent resolutions from being blocked and, secondly, to be able to get them to be implemented. Here are some of the proposals.

- Thematic limitation: Some propose to exclude the use of the veto for crimes against humanity, genocide and other serious violations of international law.

This would reduce the P5's ability to block urgent humanitarian interventions.

- Reinforced veto: Another proposal suggests that the veto can be exercised if at least two permanent members oppose a resolution. This would discourage the use of the veto for national interests.
- Qualified majority override: The General Assembly could be empowered to invalidate a veto if a large majority of member states oppose it.
- Justification requirement: The 2022 General Assembly resolution required that if a P5 vetoes, it must justify its decision in a session of the General Assembly. This measure, although not binding, aims to make the use of the veto more costly in terms of international reputation.

Strengthening transparency, representativeness and accountability of elected members

Veto power is certainly not the only problem with the UNSC. There is also a lack of transparency in decision-making processes and poor accountability for elected members (E10). Since elected members are not subject to any formal accountability mechanism to

their regional groups or the international community, it is not clear whether they are acting in representation of the general global interest, the interests of the constituency they represent, or merely their own state.

The literature highlights two problems regarding the behavior of E10s.

- States that run for the UNSC try to gain votes by using economic aid provided to developing countries as a negotiating tool⁵. Rich and powerful states campaign by promising money and thus have a better chance of being elected than poor and weak states.
- The voting behavior of the E10 does not correspond to the preferences of the states in the regional constituencies, as expressed in the votes at the General Assembly⁶. The E10 therefore follow their own preferences and not those of the region they represent.

To improve transparency, a system could be introduced where:

- States applying for an elective seat (E10) must submit a public work programme before their election.
- Elected members must provide an annual report on their activities and performance.

If the E10 met these criteria, they could have greater authority within the UNSC and be able to more effectively counteract the interests of the P5.

Can the composition and procedures of the Security Council be changed?

Any change would require a very broad international consensus, in a context in which the main global actors often have divergent interests. In fact, every “formal” reform is regulated by Art. 108 of the Charter and requires that an amendment to the Charter must be adopted by the Assembly with a

majority of 2/3 and subsequently ratified by 2/3 of the member states, including the P5. A “substantial” revision should follow the procedure outlined in Art. 109, which is even more complex and has never been put into practice so far.

However, combining the enlargement proposals with the votes in the body shows the following aspects:

- Expanding the membership of the UNSC to include other states may help make the body more representative, but it would not solve the root cause of the fact that crucial decisions are often blocked by the veto of a single state.
- Making it more difficult and costly to use the veto power would help make the UNSC more effective and authoritative.
- It is possible to strengthen the transparency, representativeness and accountability of elected members (E10), ensuring that they can be an effective counterbalance to permanent members.
- It is necessary to overcome the idea that the members of the UNSC should only be states. The first candidates could be regional organizations, such as the European Union, ASEAN, African Union, Organization of American States and Arab League, encouraging plurality and increasing authority. This will help to increase regional collaboration and stability and will possibly reduce competition to be elected in the E10.

It is only a remote hope that the veto can be abolished. The possibility of reducing and, in the long run, eliminating the P5 veto is voluntary, and can only be achieved if the P5 decide not to use it. The only hope is that the United States, Russia and China follow the example of France and the United Kingdom, which have not used the veto in recent decades.

The path towards global democracy has many and varied components and involves a wealth of international organizations, treaties and agreements⁷. But certainly one of the most important gridlock represented

by the UNSC cannot be ignored: as long as the UN executive body competent on peace and security is blocked by the veto, it will be difficult to achieve truly democratic global governance.

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80 Years on: Rethinking the UN

Adriana Castagnoli

Eighty years ago, at the close of the Second World War, representatives from fifty nations gathered in San Francisco to establish a lasting institution dedicated to the preservation of peace.

President Woodrow Wilson's vision – his idealistic internationalism inspired the creation of the League of Nations at the end of the First World War though ultimately rejected by Congress – was given renewed expression in Franklin D. Roosevelt's conception of a world order grounded in international cooperation.

Formally established on 24 October 1945, the United Nations embodied both the political aspiration for global governance and the pursuit of a shared future founded on international law and multilateralism. The UN Charter, signed on 26 June 1945, codified the post-war geopolitical order. Contemporary international law remains anchored to that original Charter, though its significance is too often overlooked.

While the United Nations General Assembly adopted the Universal Declaration of Human Rights, the instrument did not acquire legally binding force upon the Member States.

Since 1947, the question of Palestine has remained unresolved. The proposed partition of the territory under British mandate between Israel and a prospective Palestinian state was never implemented.

In October 1971, a major realignment occurred when the People's Republic of China was recognized as the sole representative of China

and assumed a permanent seat on the Security Council.

Following Mao Zedong's victory over the nationalist forces in 1949, the People's Republic of China was excluded from UN representation, which was instead remained to Taiwan, the Republic of China.

The 1950s witnessed the acceleration of decolonization in Africa and Asia bringing a surge of newly independent states into the United Nations. Principles of such as decolonization, racial equality, disarmament, and an equitable international economic system defined a transition were among the foundational principles of the transition from an imperial era to a post-imperial era community of sovereign states.

Decolonization, racial equality, disarmament, and the pursuit of a fairer international economic system constituted key principles in the transition from the imperial era to a post-imperial order of sovereign states. Yet, as conflicts from Korea to Vietnam to Angola demonstrated, war continued to spread across the Global South.

Although the United Nations was founded as humanity's first universal institution, its founding principle – the prevention of war – remained unfulfilled because it was between the North and the South.

By the 1970s, the most profound global divide was no longer East versus West but North versus South, where hopes of redressing structural inequalities collapsed amid rhetoric.

Hopes for a power re-balance collapsed amid rhetoric, as structural inequalities remained entrenched.¶

The 1990s marked a dramatic setback: notwithstanding limited success in diplomatic mediation, the United Nations was proved unable to manage wars and humanitarian emergencies, thereby gravely undermining its credibility. The genocide in Rwanda, the massacre at Srebrenica, the “oil-for-food” scandal in Iraq, and the conflict in Darfur tragically highlighted the structural dysfunctions of the United Nations, revealing an institution incapable of acting coherently or responding promptly.

From the presidency of George W. Bush onward, impatience of the United States with the United Nations grew. Under the Trump administration steadily, Washington reduces financial contributions and support, including those to the Green Climate Fund intended to assist developing countries. Meanwhile China has sought to reshape global governance according to a model of non-interference among sovereign states, inspired by the Westphalian system. Both Washington and

Beijing powers, albeit in different ways, have further weakened the Organization.

In parallel, President Putin has argued shifting power dynamics require an adaptation of the legal norms enshrined in the UN Charter. Yet, he has simultaneously defended the Security Council’s absolute veto power as an instrument to block unwelcome resolutions. The UN is paralyzed both by a bureaucratic and cumbersome structure – often run according to clientelistic logic – and by a Security Council that continues to reflect the geopolitical balance of post-war powers, excluding emerging powers such as India and Brazil from permanent memberships. ¶

A regression of universalist ideals is evident: the vision of international cooperation grounded in shared values is undergoing a deep crisis.

Comprehensive reform and structural changes are urgently needed. Such reform requires decisive action from countries seeking new roles in great power competition and from Europe, which has long aspired to strengthen the United Nations, but yet remains unable to articulate a common position.

Commemorating UN Charter, 'We Cannot and Must Not Normalize Violations of Its Most Basic Principles'

Antonio Guterres

Following are UN Secretary-General António Guterres' remarks to the commemorative plenary meeting of the General Assembly to observe the eightieth anniversary of the signing of the Charter of the United Nations, in New York on 26 June 2025: "Eighty years ago, from the ashes of war, the world planted a seed of hope. One Charter, one vision, one promise: that peace is possible when humanity stands together. The UN Charter is a declaration of hope – and the foundation of international cooperation for a better world. And from day one, the United Nations has been a force of construction in a world often marked by destruction. A meeting ground where the fiercest rivals can come together to solve global problems. An institution where the smallest are represented alongside the most powerful. A platform where voices of people everywhere can be heard. A place grounded in the principles and letter of the Charter and other rules of international law. And an engine of progress for human rights, sustainable development and humanitarian action. The Charter has given us the tools to change destinies, save lives and deliver hope to the most desperate corners of the world. And we can draw a direct line from the creation of the United Nations and the prevention of a third world war. Upholding the purposes and principles of the Charter is a never-ending mission. Over the decades, we have celebrated the end of wars – while witnessing the start of others. We have delivered life-

saving aid to people in desperate need – while watching more humanitarian disasters unfold. We have seen progress towards denuclearization – and simultaneously renewed steps to rearmament. We had seen the progression of democracy, human rights and adherence to international law – while unfortunately now seeing a troubling trend in the opposite direction. We have rallied behind the Sustainable Development Goals – and also seen growing gaps in inequalities. We have mobilized for climate action – and also are enduring record heat and climate chaos. We have witnessed the breathtaking rise of digital technology and artificial intelligence, which hold so much potential for humanity – while we still work to ensure this technology is managed responsibly and safely. We must continue to advance our work across all these fronts. But let's be clear: Today, we see assaults on the purposes and principles of the Charter of the United Nations like never before. The threat or use of force against sovereign nations. The violation of international law, including international humanitarian law and international human rights law. The targeting of civilians and civilian infrastructure. The weaponization of food and water. The erosion of human rights. On and on, we see an all too familiar pattern: Follow when the Charter suits, ignore when it does not. The Charter of the United Nations is not optional. It is not an à la carte menu. It is the bedrock of international relations. We cannot and must

not normalize violations of its most basic principles. Now more than ever, we must respect and recommit to international law – in words and deeds. To adapt to the digital, increasingly multipolar world. To respond to global shocks with unity and resolve. To open our doors wider – to civil society, to young people, to the private sector. And to update how we work and build a stronger, renewed, inclusive, networked multilateralism – one

that is tuned to the twenty-first century. Last September, Member States adopted the Pact for the Future, which reaffirmed the world's commitment to international law and the Charter of the United Nations. On this anniversary, I urge all Member States to live up to the spirit and letter of the Charter, to the responsibilities it demands and to the future it summons us to build. For peace. For justice. For progress. For we the peoples."

Eighty Years of UN Charter

Guido Montani

Political rights and civil liberties deteriorated in 60 countries, with El Salvador, Haiti, Kuwait, and Tunisia comprising the largest score declines. Only 34 countries reported improvements in freedom, with Bangladesh, Bhutan, Sri Lanka, and Syria recording the largest gains. Among the 66 national elections being held across the world in 2024, 40 percent experienced violence related to voting and political parties.

In this webinar, I will summarize four key observations that I have elaborated on in a forthcoming paper to be published in a collection of essays by The Robert Triffin International. I will focus only on the topics relevant to today's debate, namely the relationship between multilateralism and the reform of the International Monetary Fund (IMF). Today, the crucial challenge is to explore a possible reform of the United Nations, which has been in crisis for years, a situation further aggravated by the Trump presidency.

The first observation concerns the declining role of the United States as a great world power. This process became evident at the end of the Cold War, following the fall of the Berlin Wall. After a decade of "U.S. monopolarity", which some people have confused with the end of history, it became relevant, with the rise of China as the new major world power – along with Russia, India, Brazil, Indonesia, and the European Union – that the international political system was becoming multipolar. The Trump presidency illustrated that the multilateral order of the United Nations, built by President Roosevelt with the USSR, at Yalta, is increasingly marginal. Trump has substituted

bilateralism for multilateralism. Multilateralism requires shared institutions for the peaceful settlement of international disputes, although that is not always possible. On the contrary, bilateralism can lead to the creation of a world empire, if the major power prevails over the others.

The second observation concerns the relationship between military power and economic power. It is clear that Putin's Russia aims to achieve invincible military supremacy, but economically it is only an exporter of raw materials. On the contrary, Russia can aspire to become a world power, militarily but also economically. At the moment the European Union, is only an economic power, with no visible indication aiming to develop its own foreign policy on a global scale. It survives in the shadow of the USA. In this anarchy, it seems increasingly difficult to counter a trend towards growing international struggle for supremacy, with possible catastrophic outcomes, such as nuclear war. The people of the planet are resigning themselves to living with hotbeds of tensions and with bloody wars. Those who have not yet lost hope in a peaceful future – as the federalists - wonder if it is still possible to activate a process of reform of the surviving institutions of the multilateral system created in the post-war period.

The third point concerns the European power vacuum. Unfortunately, European citizens and all the governments of the world note that the European Union has neither the will nor the means to propose a policy of pacification between Russia and Ukraine. The EU is unable to act to stop the serious crisis in the Middle

East, where Israel is thinking about people who were subjugated by military force. In the European Union, the only reaction to these challenges has been the Commission's proposal "RearmEU", a plan to encourage the national rearmament of member countries without an explicit objective for a common European defence. At the moment, the Union is preparing to accept the US claim in order to increase national military spending to 5% of GDP in the coming years. It is an orientation to the perspective of a race, without limits, for armaments on a world scale and that subtracts resources from social expenses. It is a sign of the EU submission to the international rules of power politics, in an era in which nuclear weapons, satellite networks and the military use of AI make unpredictable a catastrophic planetary war.

The fourth observation concerns a possible active role for the EU in reversing the arms race and launching a worldwide process towards international peace and justice. A first response to this challenge was provided by the President of the ECB, Christine Lagarde, in her speech

in Berlin (26/5/2025). Lagarde has proposed that the euro becomes an international reserve currency alongside the dollar. It is a first step towards a serious reform of the international monetary system. It is also a proposal for EU foreign policy, as an alternative to the arms race. Foreign policy is based on two crucial powers: the purse and the sword. Lagarde's proposal can be developed in the direction indicated by Robert Triffin. He showed that the IMF can become a world central bank, using the "Bancor", proposed by Keynes at Bretton Woods, as the international reserve currency. In this case it is not possible to elaborate on the technical details of this proposal. However, it is possible to say that it would have the potential to re-establish monetary and economic multilateralism, therefore the peaceful cooperation between States is necessary to address the looming environmental crisis and for a fairer distribution of Gross Global Income between rich and poor countries. It is a process of pacification, not perpetual peace, but I would like to remind you that the Franco-German pacification was the first step towards the current European Union.

Speech on the occasion of the Federal Committee of the UEF, June 21st 2025.

United Nations Reform: Democratic and Federal

Joseph Baratta

United Nations reform, from a world federalist point of view, was the alternative when “scraping” the U.N. was seen as politically unwise in response to first use of atomic bombs. Grenville Clark, a prominent but rather unconventional colleague of Henry Stimson in the U.S. government, convened the Dublin conference in October 1945 in response to first use of atomic bombs at the end of World War II. The new United Nations, especially with its veto provisions in the Security Council, looked uncomfortably like the discredited League of Nations, which was a proven failure. Clark and his group sensed that what was needed was a General Assembly representative in some way of peoples, rather like the U.S. Congress after the American Revolution. They proposed this change in a ringing public declaration, which was sent to members of Congress and the press. The *New York Times* took the lead in opposition. While it recognized that the Dublin conferees were “able, sincere men and women,” it flatly declared they had done more harm than good.

They proposed to “scrap” the U.N.:

“A true federation, such as they contemplate, is beyond attainment at this stage of history. If the Dublin conferees doubt this assertion, let them read the day’s news, or put a question to London or Moscow, not to mention Washington. The actual choice is not between the UN and an ideal world government. It is between UNO and chaos”.

As a result, Clark did not abandon his conviction that a popularly representative, that is democratic, General Assembly would be key to an effective U.N., which he reaffirmed in *A Plan for Peace* (1950) and, with Louis B. Sohn, in *World Peace through World Law* (1958), but he did cease to propose abandoning the U.N. Charter and starting all over again.

That led to a broad split in the federalist movement between the U.N. reformers, who sought official action by the states members, and the advocates of a peoples world constitutional convention, who advocated a wholly new, revolutionary response to the advent of nuclear weapons. The latter group, led by British MP Henry Osborne, actually convened such a convention in Geneva (as fate would have it) in late 1950 after the start of the Korean War. That wing of the movement never recovered, though one still hears of it, especially by young people and those in utter despair.

So the U.N. reformers became the mainstream. A bit of what has actually been achieved is worth recalling to get a sense of what is possible in a seemingly inflexible system, though most of the successful reformers were not professed world federalists. They were good people, who refused to despair.

The Charter was written with provisions for reform. Art. 108 provides that amendments shall come into the force of law when adopted and ratified by two-thirds of the states

members, including all of the permanent members of the Security Council. This has actually been done three times: to enlarge the Security Council from 11 to 15, with appropriate changes to its majority for decisions to 9 of 15 (1965); to enlarge Ecosoc to 54 (1965, 1971); and to reaffirm Art. 109(3) as if it had been acted upon (1955). Hence, it is untrue that the U.N. Charter cannot be amended. It has been amended three times.

Art. 109(3), which provides for an automatic General Conference on the Charter in ten years after the founding conference at San Francisco in 1945, had been introduced by Harold Stassen of the American delegation to meet public demands for popular representation. Grenville Clark supported such an article if it called for a review conference *every* ten years. The final text left it at *one*. By 1955, the world was sunk in the Cold War and the provision was ignored because “the time was not appropriate.” Art. 109(3) has never been exercised to this day, though some still see potential for reform. For years there existed a “Special Committee on the Charter and on Strengthening the Role of the Organization,” which some world federalists in New York used to follow, but it was a dead duck.

In 1950 there occurred a change to the Charter introduced by the United States as a Great Power. When the Security Council was paralyzed by a Soviet walkout due to the Council’s refusal to seat Communist China, North Korea invaded the South. The U.S. saw the invasion as a test of its Containment policy and used its diplomacy to prevail on a majority of two-thirds of the states in the General Assembly to pass the Uniting for Peace Resolution. It provided for U.N. action (technically non-binding) in response to acts of aggression when the Security Council was unable to act (a situation not contemplated in the Charter). Claiming a U.N. mandate,

President Truman appointed General MacArthur supreme commander of U.S. and allied forces, and the Korean War was fought to its present stalemate. But the Uniting for Peace Resolution, which has been used thirteen times, shows how creative interpretation rather than amendment has been key to growth of the Charter. Dag Hammarskjöld and Lester Pearson cited the resolution in creating U.N. peacekeeping at the time of the Sinai War of 1956. Similar processes have enabled the U.N. to acquire competence over the environment and human rights.

Space does not permit a full accounting of world federalists’ efforts, as a non-governmental organization, to reform the United Nations. I myself do so in my history, *The Politics of World Federation* (Praeger, 2004) and in a book of reviews of the most progressive scholarly literature on the U.N. after the end of the Cold War, *The United Nations System* (ABC Clio, 1995). [The publisher would not allow me to use the subtitle, *Meeting the World Constitutional Crisis*.] But I would like to comment on three major works by Maurice Bertrand from within the U.N. system; Joseph Schwartzberg, a professor of geography and long-term world federalist; and Augusto Lopez-Claros, a World Bank economist who has led the most recent and sophisticated reform effort at the Summit for the Future in September 2024.

Maurice Bertrand (of France) was a chief of the Joint Inspection Unit who responded to the long, slow decline of the United Nations as the United States showed signs of withdrawal from the “dangerous place,” as Daniel Patrick Moynihan called the U.N. The comfortable majorities of Western and Latin states members that the U.S. enjoyed in the early days had become displaced by the many small African and Asian countries after decolonization. Senator Nancy Kassebaum threatened to withdraw U.S. funding unless weighted voting

on budgetary questions were introduced in the General Assembly. But that would upset the one-nation-one vote rule – the whole system of sovereign state organization – of the United Nations. Bertrand then issued his very critical report, which got him into such trouble that he soon had to leave the U.N. – *Some Reflections on Reform of the United Nations* (A/40/988, 1985). It is refreshing to read by all friends of the present stage of international organization.

Bertrand proposed an Economic United Nations in place of the security organization, which had long proved to be unworkable. He did not propose to reform the General Assembly along the lines of a democratic body representative of people (one-person-one-vote). He was quite plain about what was currently possible:

“One of the aspects [of U.N. reform] which certainly would have deserved lengthier treatment was that of opening up the World Organization to the “peoples of the United Nations.” [But] in the interests of effectiveness and realism, I felt that the World Organization over the next few decades should remain an intergovernmental organization. I felt that the time had not yet come to think in terms of a “World Parliament,” but on the contrary that it was appropriate first and foremost to try to perfect the system of multilateral negotiations among sovereign Governments”.

Joseph Schwartzberg was typical of late world federalists, who took up the whole U.N. system and illuminated it with his comprehension and sympathy. As a primer for students, his book, *Transforming the United Nations System: Designs for a Workable World* (UN University Press, 2013), is a must-read. But it treats the problems of a world without government as amenable to reasoning, and it is disconnected from recent history. It awaits a powerful popular movement demanding revolution.

The heart of the book is a section on replacing the Security Council veto by a clever system of weighted voting, as if the United States and other great powers would be persuaded to surrender the veto, if they only knew there is an alternative.

Augusto Lopez-Claros (not a professed world federalist) is the latest to emerge with a comprehensive analysis of the global situation for U.N. reform. His book, *Global Governance and the Emergence of Global Institutions for the 21st Century*, written with environmentalist Arthur E. Dahl and international lawyer Maja Groff (Cambridge University Press, 2020), is a master work. He had the support of many civic organizations, including the Stimson Center in Washington – briefly led by former U.S. Secretary of State Madeleine Albright –, which carefully prepared for the U.N.’s Summit for the Future in September 2024. Lopez-Claros was careful not to propose something so currently impractical as abolition of the veto and he never uses the term, “world government.” His group had money (\$600,000 from the Global Challenges Foundation) and yet his proposals, including a U.N. Parliamentary Assembly, failed to attract the interest of the small states at the summit. The small states were so fearful of losing commitments from the highly developed states to the Sustainable Development Goals that they would not dare support reforms that in principle would give them more power. It all concluded with diplomatic platitudes. The *New York Times* treated it as not a newsworthy event. Nevertheless, on the 80th anniversary of the founding of the U.N., a follow-up group has formed calling for exercise of Art. 109(3).

The world situation is rather like that of the European Union, which has also ground to a halt due to historic resistance. *L’UE è un progetto incompiuto*, as Lucio Levi says. “The E.U. is an unaccomplished project.” People cannot yet imagine themselves governed by foreigners.

They hang onto national sovereignty because it is familiar to them. They groan under the weight of these books on U.N. reform, which they don't read. If they really believed in human rights, they would not need a world government. Somehow, we must find a new approach to U.N. reform. One way would be to think the unthinkable. Nuclear deterrence cannot be a long term solution. We must plan for the crisis caused by some great abuse of sovereign state power that will arouse a critical mass of the public and even concerned statesmen and women to demand democratic reforms of the United Nations. No country is "exceptional." We will only find freedom under law. Hegemons have proved irresponsible.

The age of nations is giving way to global community. A bid for world empire by one great power would be an historic mistake. The people shall judge. In union there is strength. Checks and balances are one proven device to keep popular assemblies fair. Whether a world president can be kept honorable is still a challenge. A World Republic will be the culmination of the democratic revolutions of the Age of Enlightenment.

The world historian Arnold Toynbee had a warning for that transition. "Man must learn by suffering," as Aeschylus said. Or as the Epistle to the Hebrews put it, "Whom the Lord loveth, he chasteneth."

UN80 and the Struggle for a Renewed World Organization

Andreas Bummel

It is a worn out cliché to say that the United Nations is in a crisis. The world organization hardly ever sailed in calm waters and maybe never will in its current form. Still, at its 80th anniversary, the financial and political stress is high. This stress is a reflection of the world's situation and developments in individual states as well as their relationships. Over fifty UN members are categorized as fragile states at the level of high warning or worse, indicating they are dealing with major domestic issues¹. According to the UN's Secretary-General, António Guterres, the UN in 2025 was faced with the highest number of conflicts since its foundation. It's the third year that one of the Security Council's permanent members, the Russian Federation, is waging a war of aggression against its neighbor, Ukraine, in a blatant breach of international law and the UN Charter. In this conflict and many others, like the war between Hamas-controlled Gaza and Israel, the UN's ability to make any difference is not obvious, putting in doubt its relevance in maintaining international peace and security, the UN's main pillar.

There is a clear relationship between democracy and a functioning international order. The last decade's continuing trend of democratic backsliding and autocratization in many countries² is contributing to a worsening geopolitical situation and a downhill trajectory of multilateralism. Governments that avoid and deny accountability at home are less likely to accept international accountability and norms. Autocratic powers are busy with hollowing

out the multilateral system from within³. Their perceived influence is getting stronger, including at the UN. Populist nationalists are capitalizing on the UN's weaknesses and help undermine the organization further.

The ripple effects of Donald Trump taking power in the United States for a second time in 2025 across international diplomacy are disastrous. In particular, legislation in the US Congress provides for discontinuing US funding of the UN. The US is the UN's largest contributor. The share of the regular budget is 22 percent. Whether or not, and to what degree, this will happen, is hard to predict. Anticipating the worst case, the UN Secretariat launched the so-called "UN80" initiative, an across-the-system push to cut staff and expenditure at an unprecedented magnitude of one fifth. The additional objective to consolidate the UN's byzantine structure across many dozens of "entities" is overdue and an opportunity. But ultimately, the project is about saving money and doing "less with less".

Streamlining can keep the UN machinery running and make it more effective, but major underlying problems will remain. Civil society and experts argue that strengthening the United Nations, including through new sources of funding and a related budget increase, must go hand in hand with greater legitimacy and oversight. The degree of greater legitimacy that is needed can be achieved through new institutions and mechanisms that broaden representation and participation

beyond today's exclusive circle of member state governments. UN80 is a good occasion to review developments in this area.

The creation of a UN Parliamentary Assembly (UNPA) has been a key proposal to strengthen the democratic character of the UN by including elected representatives. There are many different ways how this can be achieved. The pragmatic approach foresees an establishment by the UN General Assembly as a formally subsidiary body according to Article 22 of the UN Charter with an initial membership made up of national legislators while offering the option of direct elections⁴. The idea of a global parliamentary body has a long history and predates the UN and even the League of Nations⁵. In the early 1990s, the World Federalist Movement played an important role in bringing it into the shape and form of a consultative UNPA as an initial, strategic step. The Millennium Forum of civil society in 2000 and many other organizations and platforms endorsed it. In 2007, an international appeal for a UNPA was launched as a joint platform for the proponents of the proposal. The late former UN Secretary-General Boutros Boutros-Ghali supported the project as an "indispensable step toward democratic control of globalization" and numerous other UN experts and former officials followed. From then to the mid-2010s momentum was building. The number of individual parliamentarians across party lines who signed the appeal grew to over 1,500 from over 120 countries. The African Union's Pan-African Parliament adopted supportive resolutions in 2007 and 2016; the Latin-American Parliament in 2008; the Parliament of Mercosur in 2011; and the European Parliament in 2011, 2017 and 2018⁶. The idea was that parliamentary and civil society support would make it appropriate for governments to pick up the proposal. The foreign minister of Malta spoke in favor of it at the 2013 Commonwealth Summit. Support from national parliaments

was hard to come by, however, primarily due to the negative stance taken by the Secretariat of the Inter-Parliamentary Union (IPU) which considers itself in charge of the "parliamentary dimension" of international cooperation. Proponents of a UNPA, many of which have IPU experience, keep emphasizing the complementary nature of the proposed new UN body and the IPU. Assessments made by the IPU itself appear to indicate they are realizing that the influence they can achieve at the UN in the current setup is marginal⁷.

In 2015, the Albright-Gambari Commission on Global Security, Justice & Governance, convened by The Hague Institute for Global Justice and the Stimson Center, recommended establishing a UN Parliamentary Network under Article 22 of the UN Charter as a practical way to strengthen UN-citizen relations. Though details were not fleshed out, the idea was to find a pathway forward below the threshold of a full-fledged assembly. No doubt those behind this initiative were hoping to establish support from the US administration following the US elections in 2016. What happened instead was the surprise success of Trump under a nationalist "America first" platform. Internationally, one of the first things he did was quitting US' support of the Paris climate agreement. International diplomacy turned into crisis mode. In view of democracy coming under increasing pressure in many countries, it became apparent that efforts for democratizing and strengthening the UN are connected to defending and strengthening democracy at the level of UN member states too. Based on this insight, Democracy Without Borders was established. A 2018 call to action signed by dozens of parliamentarians, among them the former foreign ministers of Malta and Germany, pointed out that "the UN, the multilateral order and democracy are under attack." A UNPA was needed to help counter this trend, the statement argued. Eyes now

turned to the UN's 75th anniversary in 2020 as the next potential opportunity for far-reaching reforms. The plenary assembly of the World Federation of United Nations Associations convened in the Dominican Republic in 2018, for instance, called for a "UN 2020 summit that considers comprehensive reform measures, including the creation of a UN Parliamentary Assembly."

On 30 January 2020, the World Health Organization (WHO) declared an international public health emergency and some six weeks later, a global pandemic. The WHO later estimated that COVID-19 led to nearly 15 million excess deaths globally in 2020 and 2021. Many more people got infected. The pandemic brought health systems to the brink of collapse and countries competed over getting hold of medical supply and vaccines. In many places, public life came to a halt. Convening a meaningful UN summit in September was no longer possible. The UN nonetheless managed to conduct public consultations on the occasion of its 75th anniversary, claiming that more than 1.5 million people participated online or in other ways. The UN's report notes that the most frequently ideas raised by participants to renew the UN included a UNPA and "citizen proposal initiative", among others⁸. Both were also endorsed in the "UN75 People's Declaration and Plan for Action" issued by the UN2020 civil society platform which is now the Coalition for the UN We Need (C4UN). From 2021 onwards, advocacy was broadened by launching the "We The Peoples" platform to promote three complementary proposals: the UNPA, a UN World Citizens' Initiative (UNWCI) to let citizens place items on the UN agenda, and a UN Envoy to facilitate access of civil society. More than 300 groups from across the world endorsed the platform, from small local initiatives to large international networks. A statement signed by over 100 parliamentarians in 2022 encouraged states

to establish a "Group of Friends for Inclusive Global Governance" that works to advance these proposals.

As an outcome of UN75 commitments adopted by the UN General Assembly, the Secretary-General presented a report on "Our Common Agenda" which paved the way for the UN convening a "Summit of the Future" (SOTF) and adopting a "Pact for the Future". This was promoted by the UN as a "once in a lifetime" opportunity to address global governance transformations. Under the leadership of C4UN, the Bahá'í International Community and others, civil society groups immediately engaged with the process and organized their own consultations over the course of two years. At one of these events, the foreign minister of Malaysia endorsed a UNPA⁹. One outcome was the People's Pact for the Future¹⁰ which mirrored the sections of the intergovernmental document. Among other things, it recommended enhancing global governance legitimacy and expanding participation through a UNPA, UNWCI, a civil society envoy – and global citizens' assemblies (GCAs). Ahead of SOTF, a joint civil society letter urged governments to include these measures in the Pact.

In C4UN's People's Pact, GCAs were described as "composed of individuals selected by civic lottery and demographically representative of the global population, to deliberate and make recommendations on matters of global concern." This innovation entered the UN context in 2021, when a civil society-organized process convened 100 randomly selected participants worldwide to deliberate on climate and ecological risks in connection with the UN's climate negotiations in Glasgow. A similar undertaking is pursued at the 2025 negotiations hosted by Brazil. A recent joint policy brief by Democracy Without Borders and Democracy International recommends that the

UN should establish a permanent framework that enables “UN bodies and entities to set up and operate different ad hoc GCAs as needed”¹¹.

The SOTF process showed that the influence and space of civil society at the UN is shrinking despite all rhetoric. Civic space at the UN has become a contested terrain. When the Sustainable Development Goals were drafted and negotiated, the process was open and civil society representatives were in the room. In this case, consultations between member states and those with non-governmental groups were kept strictly separate. Civil society relied on “friendly states” for inside information. Over 350 groups signed a letter raising concern that civil society input was being overlooked. The Pact negotiations were additionally set up in a way that filtered out any ambitious proposals to begin with: language had to be accepted by member states by consensus. Action 55, the relevant one in the field of participation, says that “We recognize the importance of the United Nations engagement with national parliaments and relevant stakeholders, while preserving the intergovernmental character of the Organization.” It is to be ensured “that relevant stakeholders can meaningfully participate, in their respective roles and responsibilities.”¹²

At the 2024 Nairobi UN Civil Society Conference “in support of the Summit of the Future”, as it was called, a number of coalitions were established, one of which to advocate for UN Charter reform. At the same time, the Global Governance Forum started convening a study group which presented a draft “Second UN Charter” on the occasion of the SOTF¹³. Among other things, the draft integrates a Parliamentary Assembly as a new principal body alongside the General Assembly. If it were to be done under the current Charter, adopting amendments according to Articles

108 or 109 would require approval not only by two thirds of UN members, but also by all five permanent members of the Security Council. Innovative thinking is ongoing on how to possibly circumvent this requirement if there was sufficient support on the part of other member states like legally creating a new Charter treaty rather than amending the old one. It is still a long way, however, to build common ground among governments on what exactly Charter changes should entail. Most attention and interest is devoted to Security Council reform but even after more than 30 years, the matter is still bogged down in the Intergovernmental Negotiations. Documents coming out of that process still illustrate familiar divergences.

International opinion surveys indicate that majorities of people in most countries are supportive of proposals aiming at increasing representation and participation at the UN. They often prefer institutional designs that make the UN more authoritative and less unequal in representation¹⁴. Researchers suggest that “relevant reform efforts can build on widespread public endorsement.”¹⁵ This includes support of different forms of a UNPA and a global parliament.¹⁶

For sure, if it was possible to set up a UNPA via Charter reform immediately, the step of creating it first as a subsidiary body of the General Assembly should be skipped. In the meantime, both approaches are complementary. It remains to be seen which one will pick up more momentum, if any, among member states. Trump’s return to the White House in January 2025 amplified the disruptive dynamics first seen after 2016. On the one hand, the global political environment is worse than 15 years ago. On the other, it is increasingly clear, even to many governments, that the UN requires fundamental changes. The Pact for the Future pledged “a new beginning

in multilateralism” and stated that “If we do not change course, we risk tipping into a future of persistent crisis and breakdown.”

The UN80 project is an immediate short-term response to an anticipated funding shock. It is not about renewing the UN. Yet, at some point, it will become impossible to avoid the larger issues the UN is suffering

from. UN80 is an opportunity for civil society to continue emphasizing that strengthening the UN must involve setting up institutions and mechanisms like a UNPA, UNWCI and GCAs. This will require some investment but the benefits will be much larger. Finally, the tool of citizens’ assembly could be used ad hoc even in a process like UN80 to capitalize on the common sense of the world’s people.

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Global Citizens' Assemblies Should Help Revive the UN: New Report

DWB

In a moment of mounting global crises, two democracy advocacy groups put forward a bold vision to help democratize global governance: a permanent mechanism for convening Global Citizens' Assemblies (GCAs) within the United Nations system that would help reinvigorate the world organization through citizen input.

At a 90-minute launch webinar, available at YouTube and co-hosted by Democracy International and Democracy Without Borders, the organizations presented their joint policy brief, *Global Citizens' Assemblies: Pathways for the UN – Principles, Design, and Implementation*. The document proposes institutionalizing deliberative forums composed of randomly selected global citizens to weigh in on pressing transnational issues – from climate change to AI ethics.

While the paper elaborates specifically on implementation by the UN, it envisions that there will be different types of GCAs established by different actors as part of an evolving “deliberative ecosystem” across all levels.

Renata Sene, former mayor of Francisco Morato, Brazil, opened the webinar with a compelling case for participatory governance rooted in her city's transformation. Her experience in implementing local citizens' assemblies set a grassroots tone for the discussion about scaling such methods globally. “We did a model where we were sure that the population would participate,” she said. “We reached more

than 60,000 people through two multi-year planning processes. Now we even hear from children”, the author of the paper's foreword noted.

Overview of the paper

Tim Murithi of the Institute for Justice and Reconciliation framed GCAs as essential in today's global “interregnum.” “The post-World War II order is ending. The choice before us is to capitulate to authoritarianism or to forge a new democratic global order,” he said. “Every human being must be granted the equal right to participate in reconfiguring their society”, Murithi emphasized. He cited historical precursors to the idea, including the ancient Greek concept of *demos* and the Stoic ideal of cosmopolitanism. GCAs are a method to address the global democratic deficit and help reinvigorate the UN, the paper argues.

Core design principles and implementation

Nicole Curato, now at the University of Birmingham, laid out the core features of citizens' assemblies: random selection, informed deliberation, and co-created recommendations. “Given the right conditions, everyday people are more than capable of grappling with complex issues,” she said. “It's not just about representation; it's about thoughtful participation.” Curato also highlighted ongoing debates around the fairness of random selection versus representational diversity, equity, especially for vulnerable populations, a subject touched upon in the policy brief.

Caroline Vernailen, Global Lead for Advocacy at Democracy International, addressed the practical challenges of globalizing such a model which are stressed in the paper. “We don’t have a global population registry. Language, technology, and visa inequities all make participation harder,” she said. “But the diversity of humanity is not an obstacle – it’s a strength”, she noted. Vernailen pointed to successful pilot projects like the civil society-led 2021 Global Assembly on climate and the EU’s Conference on the Future of Europe as proof of concept.

Integrating GCAs into the UN system

Andreas Bummel, Executive Director of Democracy Without Borders, presented the policy brief’s key recommendation: the establishment of a permanent GCA framework at the UN by the UN General Assembly under Article 22 of the UN Charter. “Each UN body in a flexible way could then trigger its own ad hoc global citizens’ assembly. The framework would be coordinated by a common secretariat to assist implementation, ensure high standards and create synergies,” he explained. “While the assemblies would be advisory, their input would need to be taken seriously, for instance through mandatory responses to their recommendations.” Bummel emphasized that GCAs should complement other democratic global reforms, such as a UN Parliamentary Assembly and a World Citizens’ Initiative.

Reflections and cautions

Following the remarks from the document’s four co-authors, the panel was joined by several scholars and practitioners who reflected on the policy brief.

Farsan Ghassim of the University of Oxford warned against diluting the core principle of random selection: “Any deviation from randomness chips away at legitimacy,” he said. “If we over-represent certain groups, who

decides which ones? That opens the door to elite control”, he said. He warned that such choices could inadvertently reproduce the very power imbalances GCAs aim to correct.

Mathias Koenig-Archibugi from the London School of Economics praised the brief as a document that should be broadly noticed but urged caution in framing: “If this is seen as another elite project, it may alienate the very citizens it seeks to engage,” he said. “We need to distinguish form from substance and ensure assemblies reflect pluralism.” He urged advocates of citizens’ assemblies to exercise restraint in promoting specific substantive outcomes, stressing the need to accommodate diverse political perspectives.

A case for institutionalization

Doina Stratu of the Polytechnic University of Valencia stressed that GCAs must be institutionalized within public systems to gain legitimacy and impact. “Citizens’ assemblies are not an experiment anymore – they are a structural correction to a broken system,” she added. “UN Article 22 gives us a legal path to make this real”, she stressed one of the paper’s conclusions.

Antoine Vergne of Missions Publiques, a seasoned practitioner currently working on global citizen deliberation on AI, issued a word of caution: “Let’s not get stuck in one model. Democracy at the global level needs to be fractal, flexible, and multi-voiced,” he said. “Standardizing too early could be its downfall”, he warned. Vergne furthermore lauded the EU’s evolving use of citizen panels as evidence of scalable success.

Citizens input to the climate negotiations

David Levai of Iswe Foundation struck a pragmatic note, citing the lack of political appetite at the UN level, particularly related to the recent Summit of the Future in September

2024. “The Summit of the Future showed no political will”, he noted. “We must demonstrate value through action, not theory. That’s why the upcoming Global Citizens’ Assembly ahead of the next round of the climate negotiations COP30 in Brazil is crucial”, he said. Levai described the initiative, led by his organization, as a chance to integrate citizen deliberation directly into climate negotiations, potentially creating a model for replication.

Conclusions

From local towns in Brazil to the halls of the UN, the case for citizen inclusion in global governance is gaining traction. While challenges remain – especially institutional inertia and political reluctance – advocates argue that GCAs can bridge the legitimacy gap

between governments and the governed at the global scale.

In her final reflection, moderator Nudhara Yusuf of the Coalition for the UN We Need underscored the urgency and ambition behind the proposal. “This isn’t just about having a seat at the table – it’s about creating more tables,” she said. “Yes, the hurdles are real. But so is the crisis. And global citizens are ready.” Yusuf emphasized that GCAs offer a new democratic infrastructure for a shared global future. She encouraged participants and governments alike to “meet this moment not with fear, but with boldness.”

The 40-page policy brief is now available on the websites of Democracy International and Democracy Without Borders.

The EU Should Defend the ICC. The Moment for European Leadership: Support a New Path for Israel-Palestine

International Federation for Human Rights

Open Letter

The International Federation for Human Rights (FIDH) joins 57 other human rights organisations in a call to the European Union to defend the International Criminal Court against attacks by the United States, and others.

Brussels, 4 April 2025. The European Union (EU) should defend the International Criminal Court (ICC) amid serious attacks on its mandate and mission, 58 non-governmental groups said today. These attacks could undermine justice for victims of serious international crimes around the world, making urgent EU action to uphold the international rules-based order.

The ICC is the cornerstone of a broader system for accountability, acting as a court of last resort when other avenues to justice are blocked. The recent arrest and transfer of former Philippine President Rodrigo Duterte to face a charge of crimes against humanity before the ICC reaffirms the Court's relevance and underscores its significance in ensuring accountability for the most serious crimes.

The EU and its member states have long been strong advocates for the ICC and have made legally binding commitments to promote the universality and integrity of the Rome Statute, the Court's founding treaty. The EU has pledged to support the ICC's independence, cooperation with the Court,

and the implementation of the principle of complementarity, which ensures that the ICC acts only when national authorities do not genuinely investigate and prosecute, as appropriate, international crimes. This firm support has been essential to the ICC's functioning since its establishment more than 20 years ago.

United States (US) President Donald Trump issued an executive order on February 6, 2025, authorizing the use of asset freezes and entry bans on ICC officials and others supporting the Court's work. US sanctions targeting the ICC are an affront to victims and their families. Sanctions are never meant for prosecutors, judges, and others pursuing independent and impartial justice for core international crimes.

The US designated ICC Prosecutor Karim Khan for sanctions under the February 6 order and could issue additional designations in a bid to undermine ICC investigations it opposes. US financial sanctions have serious effects that go far beyond those targeted, and could result in the Court losing access to essential services necessary to carry out its mandate. The order appears designed not only to intimidate Court officials and staff involved in the Court's critical investigations, but also to have a chilling effect on broader cooperation with the ICC, including by civil society organisations supporting victims.

While most EU member states have condemned the US sanctions in national and joint statements, the EU as a whole has yet to express its opposition in an official statement, in stark contrast to its clear positions following the imposition of similar sanctions by the first Trump administration in 2020. Expression of support for the ICC's mandate is welcome, but the EU should also clearly denounce US sanctions on the Court, signal that they will not go unaddressed, and call on the US to rescind the executive order.

The EU should, without further delay, make use of the Blocking Statute to counter the US sanctions. This instrument aims to shield European operators from the effects of extraterritorial sanctions and could help ensure that the Court's work can continue unaffected. The European Commission, the European External Action Service, and EU member states should also develop other measures to mitigate the impact of the sanctions on the ICC. The Court, the European Parliament, a number of EU member states, and civil society have already urged the European Commission to activate the Blocking Statute.

These are only some of the many threats facing the ICC, as well as human rights defenders advocating for justice before the Court. ICC officials face arrest warrants issued by the Russian Federation in retaliation for the Court's decision to issue an arrest warrant against President Vladimir Putin for alleged war crimes in Ukraine. Meanwhile, legislation criminalising cooperation with the Court has already been enacted in Russia and is under consideration by Israeli authorities. Moreover, the Court is still dealing with the aftermath of a sophisticated cyberattack that took place in 2023 and there are allegations that Israel carried out a nine-year espionage campaign on the Court.

Overcoming these threats to justice also requires EU member states to show they are steadfast in their own obligations under the Rome Statute, the groups said. In September, the EU rightly condemned Mongolia's breach of its obligation as an ICC member country to arrest Putin.

On April 2, Israeli Prime Minister Benjamin Netanyahu began a visit to Hungary at the invitation of Hungary's prime minister. The Hungarian government announced the following day that it would seek to begin the legislative process to withdraw the country from the ICC. As of April 4, Hungary had failed to arrest and surrender him to the ICC, disregarding an ICC warrant against him for alleged war crimes and crimes against humanity committed in Gaza and its ICC obligations.

Regrettably, officials from the governments of several other European Union member states, including France, Poland, Italy, Romania, and Germany have recently explicitly said that they would not uphold their obligations or failed to commit to enforce the court's warrant. Italy has also returned an ICC fugitive to Libya, apparently flouting its obligation to arrest and surrender him to the ICC.

Without cooperation and arrests, there can be no justice before the ICC. Ambivalent or even negative signals about the validity of ICC decisions erode EU law, practice, and commitment to international justice and display regrettable selectivity, sending the message that the rule of law is for some, but not all.

The groups called on EU actors to take decisive action to reaffirm their commitment to and protection of the international rule-of-law, as follows.

The EU leadership, including Commission

President von der Leyen, High Representative Kallas, and Council President Costa should urge governments across the EU to respect the EU's position on the ICC, including on cooperation, universality of the Rome Statute, and safeguarding the independence of the Court, and respect their obligations to protect, uphold, and enforce the Court's decisions. The EU, in particular through High Representative Kallas as well as the EU Council should publicly condemn the US sanctions against the ICC and reaffirm their unwavering support for the Court and its independence and urge the US to rescind the executive order authorising sanctions. The EU Commission should also swiftly make

use of the EU Blocking Statute by adding to it the US executive order authorising ICC-related sanctions and develop any additional measures to protect the Court and counteract the chilling effect of sanctions on those cooperating with the Court.

EU member states should unequivocally affirm they will enforce all their legal obligations under the Rome Statute, including executing all ICC arrest warrants, in all situations before the Court. EU leadership should spare no efforts in reminding member states of their legal obligations to cooperate with the ICC, and act to prevent and respond to any instance of noncooperation with the ICC.

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Saving Humanity and Planet Earth is a project to expose the perils of confrontation in the nuclear age and explore pathways to a safer, just and sustainable future.

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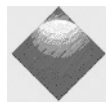
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