



CONGRESS OF NATIONS AND STATES

International Peoples Crimes Treaty

Adopted October 13, 2022

International Peoples Crimes Treaty (IPCT)

Preamble

The Parties to the present Treaty, consistent with the Charter of the Congress and Nations and States (CNS):

1. *Recognizing* the need to ensure the protection of the fundamental rights of Peoples and Nations, and to prevent any abuse and enjoyment of these rights,
2. *Cognizant* that for centuries, Peoples and Nations have been victims of horrific acts perpetrated by individuals, groups, organizations, and governments in which millions of children, women, and men have been victims of unimaginable atrocities of invasions, forced settlements, uprooting, expulsions, exploitation, apartheid, slavery, torture, and all forms of genocide;
3. *Informed* that States have obligations under mutually agreed upon international instruments towards Peoples and Nations to protect and promote human rights.
4. *Conscious* that commission of grave crimes causes severe harm to all-beings and the environment including flora and fauna, as it threatens their peace, society, livelihood, security, and well-being of Peoples and Nations;
5. *Being aware* that there is no specific international instrument currently in place specifically tailored to address crimes perpetrated against Peoples and Nations;
6. *Affirming* that consistent with state-based treaties and international law, serious crimes against Peoples and Nations shall be recognized and remedied;
7. *Emphasizing* that justice for Peoples shall be in accordance with their cultural customs, beliefs, and traditions, in and on their homelands;

Hereby agree as follows:

PART 1: CRIMES

Article 1: The IPCT incorporates the crimes enshrined in the following treaties as adopted and ratified by State parties:

- A. The crime of “genocide” as defined under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.
- B. The crime of “crimes against humanity” as defined in the Rome Statute of the International Criminal Court.

Article 2: The IPCT recognizes the following crimes:

- A. Ethnocide is the deliberate destruction, forced conversion, or elimination of:
 - a. specific beliefs, faiths, or religions;
 - b. cultural heritage practices, structures, artifacts, or manuscripts;
 - c. languages or forms of communications;
 - d. or any other unique characteristic which is central to the culture or identity of a Peoples.

- B. Environcide is the intent to destroy, damage, or make inaccessible the environmental infrastructure which results in the forced displacement, starvation or famine, or structural violence towards a Peoples.

- C. Ecocide is any act committed with knowledge that causes irreversible damage or contributes to the significant destruction of an environment or ecosystem.

Article 3: To aid, abet, or attempt any act as outlined above is also considered a crime under the IPCT.

Part 2: Authority and Application

Article 1: The Congress of Nations and States establishes a “CNS Justice Mechanism,” a permanent arm of CNS, created consistent with the CNS Charter, mandated to hear petitions brought forward by Official Members (hereafter “member(s)”) of CNS. The authority and jurisdiction of the CNS Mechanism is governed by the IPCT.

Article 2: Wherever feasible, CNS will promote and encourage the use of local justice mechanisms belonging to members of CNS. In addition, CNS will promote and encourage the use of universal jurisdiction as defined by States in international instruments.

Article 3: No case which is pending before a local, state, national, or international tribunal may be brought before the CNS Justice Mechanism.

Article 4: The IPCT recognizes the rights of nature. A matter may be brought forward by members of CNS on behalf of an entity or being within nature which falls within Part 1 “Crimes” of the IPCT.

Part 3: Case Process

CIRCLE OF ELDERS

Article 1: Composition, Appointment, and Service Period

- a. The Circle of Elders shall be composed of 5 diverse members representing 5 different regions of the world.
- b. A minimum of 4 candidates from each region are nominated by the Assembly and are approved by the Convening Council according to the IPCT Guidelines.
- c. A minimum of 2 Circle of Elders panels shall be instituted, each serving for a 4-year period.

Article 2: Case submission

- a. A member may file a petition for a case to be examined in the CNS Justice Mechanism with the Judicial Secretariat.
- b. The Judicial Secretariat shall assign the petition to a Circle of Elders panel for review.

Article 3: Circle of Elders Process

- a. The Circle of Elders shall assess if the member's petition is appropriate under the International Peoples Crimes Treaty.
- b. The Circle of Elders, within a reasonable period, will choose to:
 - i. Decline the matter for examination in the Justice Mechanism; or
 - ii. submit the case to one of the two Chambers for further examination and determination;
- c. If a matter is declined, the member may resubmit a matter to the Circle of Elders, as long as the Circle of Elders has clearly offered this to the member as an option.
- d. The Circle of Elders will transmit all their decisions in writing to the CNS Judicial Secretariat and the member.
- e. A member may decline the advice of the Circle of Elders and determine to stop engaging with the CNS Justice Mechanism any further.

CHAMBERS

Chamber 1: Atrocity Prevention Chamber (APC)

Article 1: Scope and Process of APC

- a. The Circle of Elders will assign cases to the APC Chamber for matters which they view can benefit from intervention in order to *prevent or deter* any crimes listed in Part 1 "Crimes" section of the International Peoples Crimes Treaty.
- b. The "APC Panel" which is composed of a panel of 3 experts, will hear the assigned matter. Appointment of the APC Panel by the Convening Council is completed *prior* to any case assignment in accordance with the IPCT Guidelines.
- c. Prior to initiating a dialogue, the APC Panel will conduct an interview with the Member bringing forward the petition utilizing the Early Warning Framework (outlined in the IPCT Guidelines).
- d. After this primary interview, the APC Panel will determine who the relevant parties are for dialogue and initiate a dialogue between those parties and the member who has brought the petition forward.
- e. The APC Panel will conduct as many dialogues with the parties, including the member, on the case as necessary in person or virtually. All dialogues in front of the APC Panel are considered closed sessions.
- f. During subsequent dialogues, the parties will present their viewpoints and the APC Panel will continue to utilize the Early Warning Framework in their discussions. At the conclusion of the

dialogues, the APC Panelists will conduct a concluding session incorporating relevant viewpoints and emphasize mutual points of agreement to prevent further mass atrocities from starting or continuing.

- g. At the conclusion of the dialogues, the APC Panel will issue a preliminary report and approved Consensus Document, according to the IPCT Guidelines. The preliminary report and Consensus Document will be issued to all parties engaged in the matter.
- h. The APC Panel shall follow up on the Consensus Document six months from the date of issuance. Thereafter, they may set a date as appropriate to review the matter.

Chamber 2: Truth and Clarification Chamber (TCC)

Article 1: Scope and Process of TCC

- i. The Circle of Elders will assign cases to the TCC when a member comes forward who provides preliminary evidence of a crime listed in Part 1 Crimes of the International Peoples Crimes Treaty.
- j. The “TCC Panel” will be composed of a panel of 3 experts, who will hear the assigned matter. Appointment of the TCC Panel by the Convening Council is completed *prior* to any case assignment in accordance with the IPCT Guidelines.
- k. The TPC Panel will conduct a closed preliminary session with the member who has brought the matter forward. The TCC will follow the rules and procedure prescribed in the IPCT Guidelines.
- l. After the closed preliminary session, depending on the number of victims, survivors, and witnesses participating in the proceedings, the TCC will decide the length and number of future sessions.
- m. Whether a session will be open to the public will be determined by the member(s) who bring the matter forward with the agreement of the TCC Panel.
- n. At the conclusion of the sessions, the TCC will issue a Final Report with their recommendations, as outlined in the IPCT Guidelines. The Final Report will be made public by the Judicial Secretariat, as outlined in the IPCT Guidelines.

Part 4: Enforcement

Article 1: It is the prerogative of the Convening Council, Judicial Secretariat, and CNS Assembly, where possible, to raise awareness and enforce the findings of the CNS Justice Mechanism.

Part 5: Amendments to the IPCT

Article 1: Amendments to IPCT

- a. The CNS assembly may add more “Crimes” to Part 1 of the IPCT, six (6) years after the date of adoption of this Treaty.
- b. The CNS Assembly may add more “Chambers” to Part 3 for redress and accountability as necessary, six (6) years after the date of adoption of this Treaty.
 - ii. If the CNS Assembly has agreed by consensus to create another Chamber, the CNS Assembly shall mandate the Justice Commission to evaluate and draft the necessary Protocol or Amendment creating such a Chamber to accompany the International Peoples Crimes Treaty.

Article 2: General amendments, not related to Part 1 and Part 3 of this Treaty, related to expediency or efficiency may be brought forward at the next sitting of the CNS Assembly by members or the Convening Council. The CNS Assembly may evaluate whether general amendments are necessary.

Article 3: The IPCT Guidelines supplements this Treaty. Any conflict between the Treaty and the IPCT Guidelines, the interpretation will be made in favor of the IPCT. The IPCT Guidelines will be adopted by the Convening Council prior to the start of the CNS Justice Mechanism.

Part 6: Judicial Secretariat

Article 1: The CNS Judicial Secretariat, is a separate and distinct entity from the Global Secretariat, will be the official *administrative* body of the CNS Justice Mechanism.

Article 2: The Convening Council will appoint a Director to manage the operations of the CNS Justice Mechanism and the enforcement of decisions and recommendations. The Director shall provide monthly reports to the Convening Council and bi-ennial reports to CNS Members.

Article 3: The mandate of the Judicial Secretariat is located in the IPCT Guidelines.