

TO **FEZANA Executive**
FEZANA Member Associations

FROM FEZANA World Body Working Group
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SUBJECT FEZANA World Body Working Group: Interim Report

DATE September 3, 2002

PREAMBLE

A summary of our the WG activities is included in this Interim Report (**Pages 1 through 4**). In this Interim Report we focus on issues pertaining to WZO. In the **Appendix** we have documented all the correspondence that we have received; this has been done in its entirety and without comment. For those who are interested in getting an in-depth understanding of what has transpired we urge you to read the correspondence contained in this Appendix.

SUMMARY OF WG ACTIVITIES - JUNE TO AUGUST 2002

In accordance with the mandate given to us at the FEZANA AGM in Montreal, we on the WG have been diligently working towards refining the various models presented earlier. During this period our primary activities have focused on dealing with the WZO and its latest Charter WZO 2001 Ltd. Enumerated below is a summary of we have done to date with special emphasis on our activities related to the WZO:

1. June 23, 2002: Firdosh Mehta and members of the FEZANA World Body Working Group worked out a strategy for working as a team to bring about convergence wrt the World Body. Action Items: Firdosh to communicate to WZO that communication from WZO must be sent to both Firdosh and Khorshed. Direct communication of WZO with FEZANA Member Associations is not acceptable. (**See Item 1, Pages 5 and 6**)
2. On July 12, 2002, Farrokh briefed members of the ZTFE Board in London (as per guidelines given to him by the WG). Dorab Mistry the President of ZTFE sent a very positive report and indicated his intention to set up a ZTFE Working Group in a manner similar to the FEZANA World Body working Group. (**See Item 2, Page 7**)
2. On July 12,2002, the WG finalized a list of queries which was sent to WZO officers for clarification and comment. In our cover email we informed the WZO about the details of the mandate that we had received from the FEZANA Member Associations. One of the primary clauses being that the WG was NOT empowered to negotiate with any entity. We structured our request as follows: We recorded our understanding of what is proposed, offered a commentary and then sought clarification that would aid our analysis and possibly result in convergence. (**See Item 3, Pages 8 through 17**)
3. On July 25, 2002, we received from WZO a revised draft of the new constitution (WZO 2001 Ltd.). This charter is included in full in this document (**See Item 4, Pages 18 through 42**).

In the cover letter the WG was informed that the WZO planned to have the Charter for the WZO2001 Ltd. discussed at the International Board Meeting and if approved "we will start the ball rolling to incorporate it, to set up a new charity and to wind down the present WZO."

Rumi Sethna wrote, "We have on numerous occasions explained the various points that you have raised in your clarification dated 9 July 2002. I would suggest that the working group study again our revised constitution which should answer most of your concerns and then if there are any clarifications I would like you and whoever you bring with you to be my guests in the UK and we can discuss this over a week

end." The WG studied the WZO 2001, Ltd. charter. This study resulted in more questions being raised than answered. Accordingly the WG requested a second set of clarifications; **see Point 9.**

4. On July 30, 2002, we acknowledged receipt of a letter from Mr. Mino Shroff faxed to Framroze Patel. We also acknowledged receipt of a letter dated March 2002, from Mr. Keki Gandhi, which we had previously received. Both these letters were sent as "Personal Communications" to Framroze Patel. We have decided not to include them in this Interim Report until we ascertain the intent with which they communicated with Framroze. Aside: The WG has decided that ALL formal communication that it receives will be treated as communication in the Public Domain and open for the community to see.
5. On August 6, 2002, the WG acknowledged the receipt of the WZO 2001 Ltd. Charter. We foreshadowed, after our preliminary study, that the WG would be requesting additional clarifications from WZO. We also raised our concern re: a unilateral decision that WZO is contemplating in September re: the new Charter. Refer to - Where Are We Now, further down the letter. We re-iterated to WZO that we were not mandated to negotiate with them, but to provide an analysis for the membership to arrive at a rational decision. Accordingly, the WG was unable to accept his invitation to meet with WZO officials in London to discuss / negotiate issues pertaining to WZO 2001 Ltd. The WG committed to respond to WZO on the revised draft by August 15, 2002. **(See Item 5, Pages 43 and 44)**
6. On August 6, 2002, Farrokh was in Singapore and as per the request of the WG on August 6, 2002 he briefed Rusi Ghadialy in short telephone conversation. Rusi indicated his intention to communicate with Dinshaw Tamboly.
7. On August 9, 2002, Farrokh was tasked (by the WG) to brief Keki Gandhi (FPZAI) and Trustees of the BP. Keki Gandhi was unable to attend in person. The WG received two encouraging emails dated August 9 and 16, 2002) from Dinshaw Tamboly. Dinshaw is a Trustee of the BPP and a member of the International Board of the WZO. Dinshaw requested that Rumi Sethna send him the WG Request for Clarification and also suggested that the WZO establish a Working Group similar to that established by FEZANA. Dinshaw, on August 16, 2002 shared with the WG his perceptions of the issues that divide various entities (e.g., WZO and ZTFE in the UK, BPP and WZO in India, etc.). This analysis is cogent to the path that has been outlined by Rumi Sethna for WZO post the WZO International Board Meeting. **(See Items 6A and 6B, Pages 45 through 49)**

On August 19, 2002 the WG acknowledged and responded to two emails (August 9 and 16, 2002) from Dinshaw Tamboly of WZO (India). In our email, we responded with encouragement to both suggestions made by Dinshaw, namely, his recommendation that WZO and others establish Working Groups along the lines of FEZANA and that these WG's, after careful study, communicate with each other. Aside: In an earlier email Dorab Mistry of ZTFE (London) had also indicated his interest in setting up a Working Group along the lines of the FEZANA Working Group. **(See Item 6C, Pages 50 and 51)**

8. On August 12, 2002, we received a letter from Rumi Sethna politely declining to respond to the Clarifications we sought in our email dated July 12, 2002. Instead he proposed again that the WG meet with the WZO in London:

"If despite that, certain WG members still have some 14 pages of queries to fulfill their mandate, may I repeat my offer to host you and any of them at my house at your early convenience, where we can clarify all queries face to face to your heart's content. Khorshed, don't you think that this futile exchange of repetitive communications must thus be ended - once and for all?" **(See Item 7A, Pages 52 through 55)**

On August 21, 2002 the WG responded to Rumi Sethna requesting him again to respond to our clarifications. We also cautioned him with regard to the path he had set out for the WZO post WZO International Board Meeting.

"Yes, you have visited several countries. Yes, you have invested time and effort in promoting WZO. This is certainly to your credit. If as result of your travels there was convergence and no opposition to what you

propose then the WG would be in error in cautioning you against taking a unilateral decision to register WZO 2001 Ltd. This, however, is not the case.

There are at least two competing models on the table. There is movement towards this proverbial table:

- ZTFE, in July 2002, has indicated its desire to establish a WG of its own.
- Dinshaw Tamboly in August 2002 suggested the creation of WGs similar in form and function to the FEZANA WG.

Clearly, there now seems to be movement of various parties to sit around the table to discuss the issues systematically. If WZO walks away at this juncture and registers WZO 2001 Ltd, it will, in our opinion, be a 'unilateral decision' that will put an end to dialog and will precipitate a similar action on the part of others."

(See Item 7B, Pages 53 and 55)

9. The WG completed studying the Charter of WZO 2001 Ltd. that we received from Rumi Sethna on July 25, 2002 and sought additional clarifications of this new charter on August 20, 2002. **(See Item 8, Page 56 through 60).**
10. On August 27, 2002 WZO sent a letter to all FEZANA Member Associations, FEZANA officers, along with specific individuals a letter and the WZO 2001 Ltd Charter. This is indeed regrettable; see Point 1.
11. On August 30, 2002, the WG received another letter from Rumi declining to document any responses to the queries previously presented. Once again an offer was made to sit at the negotiating table. **(See Item 9, Pages 61 and 62)**

Rumi Sethna in this letter states:

"But are these any reasons for your emails to reveal so much bias against the idea of FEZANA joining a restructured WZO? Any objective FEZANA member will easily recognise it from the legalistic and inquisitorial tone of WG's queries, which friendly expressions of Navroz and Khordad Sal greetings can barely disguise? Was it also necessary to limit your understanding to the few documents mentioned in your emails, and ignore the many written communications circulated world-wide for some years explaining WZO's restructuring principles and details, and the innumerable verbal explanations given at length in meetings since 1997 to FEZANA representatives, including with three members of the WG and past FEZANA Presidents?"

The WG was mandated by the FEZANA Member Associations to develop all models that were put before it. Accordingly, the WG is not in a position at this time to recommend whether FEZANA should or should not join the restructured WZO.

The WG has analyzed all the documents made available to it since May 2001. The latest document put out by the WZO is labeled WZO2001 Ltd. This document should embody the latest thinking of the restructured WZO.

The WG, in its communication with the WZO, has indicated the documents that it has studied. The WG has invited WZO to send it additional material if the WZO feels that something has been omitted. Firdosh Mehta has sent an email to WZO and ALL other interested parties to send him material pertaining to the World Body issue post January 2001. The WG is open to looking at additional documentation from WZO or any other source.

WG is currently drafting a reply to Rumi Sethna's letter. The WG will restate that it's mandate is to gather information, analyze the information and make a presentation to the FEZANA Member Associations. It is the elected representatives of the FEZANA Member Associations are can empower the FEZANA Executive to negotiate closure on this issue. The WG will again clarify that its inability to negotiate with the WZO since that is contrary to it's mandate. The WG intends to preserve the open and transparent

manner in which the Zarathushti Community will arrive at a rational conclusion. Accordingly, the WG will document all its communication, and make it available to anyone for review.

WHERE ARE WE NOW?

12. We were informed by Rumi Sethna in his letter dated July 25, 2002 that he plans on discussing the charter at the meeting of the WZO International Board in September 2002 and then, if approved, proceed to register the entity. This unilateral action, in our opinion, is not in the best long-term interests of the world Zarathushti community. Clearly, such unilateral action will free others to take similar unilateral actions which will result in multiple competing entities. We urged Rumi and his colleagues, in the strongest possible terms, to reconsider their proposed action. At present it seems to us that Rumi will not revisit his earlier decision to pursue the plans outlined in his letter of July 25, 2002.

CLOSING

In closing Firdosh Mehta (as President of FEZANA) has been copied on all the communications listed above. We intend to keep you the membership posted on our activities by providing you a synopsis of our activities periodically.

We were made aware by Firdosh about communication he has initiated with WZO in his *personal* capacity. We were also copied on WZO response to his written communications. This is a direct communication between Firdosh and WZO, not involving the WG and hence it is not included in this Interim Report.

We would be grateful if you forwarded this FEZANA WG Interim Report to members of our Zarathushti Community.

We look forward to hearing from you. Please feel free to direct your comments to both Khorshed Jungalwala and Firdosh Mehta.