

APPENDIX 2

SAMPLE TESTIMONIES

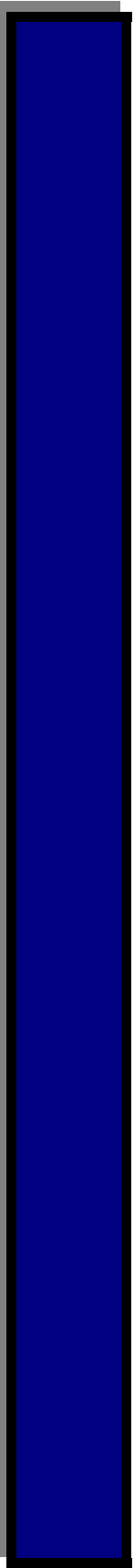
I. TESTIMONY GIVEN AT THE "GLOBAL TRIBUNAL/HEARING ON VIOLATIONS OF WOMEN'S HUMAN RIGHTS" AT THE UNITED NATIONS WORLD CONFERENCE ON HUMAN RIGHTS, VIENNA, JUNE 1993

Lin Lap-Chew reading for Grazyna

My name is Grazyna. I am 30 years old and I come from Poland. I used to work in the ship-building industry, but since the so-called "revolution" there is no more work for me. The economic crisis has turned my life upside down. I am divorced, and I have two children.

In September 1991, I was working in a restaurant in Yugoslavia, and had just come to the end of my contract. Through some acquaintances, I met a man, John G. He asked me whether I was interested in going to work in a restaurant in Germany, where I would earn three times as much as in Yugoslavia for the same kind of work. I was interested because the situation in Yugoslavia was becoming more and more unstable. A few days later, he introduced me to another man, Robert, who said that he was the manager of a restaurant in Germany. It was agreed that I would work as kitchen help and that I would be paid a salary between DM1500 and DM1800 per month. A few days later, Robert came with two other men to fetch me. There was another woman with him who was also going to work in Germany. At the border with Germany, I had to give him my passport because he somehow convinced me that it was better if he was the one to hand it to the immigration officers. He never gave it back to me afterwards.

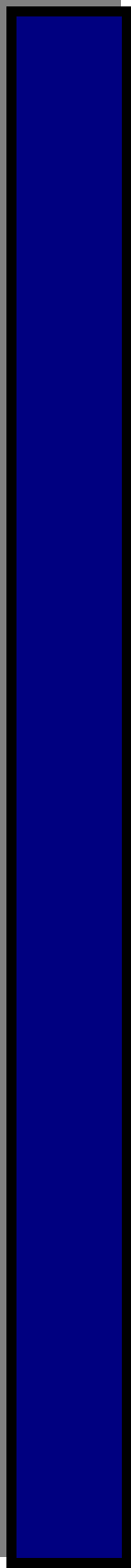
On the way, we stopped at a hotel somewhere in Germany. Robert and one of the men, Mario, stayed there with me, and the other man went with the other woman somewhere else. There, they told me that I had to work as a prostitute. I protested, but to no effect. When I kept on refusing, Mario raped me while Robert took photographs. He threatened to send the photographs to my mother if I continued to resist. I became very frightened after that. I was afraid that my mother, being a staunch Roman Catholic, would have a heart attack if she saw those photos. Then we drove on to Essen. There, I was sold to a third man, Josef. Later I discovered that Robert had received DM3000 from Josef for me. Josef brought me to the Netherlands. I did not see the other woman again.



In the Netherlands, I was forced to work as a prostitute in a "window," in a street full of "prostitute windows." They brought a big, dark man to me and said that he would watch me all the time as I worked, so I should not think that I could escape. They also said it was no use going to the police, because they were paying the police too. I had to earn at least 600 guilders per day. If I did not earn enough, I was beaten. They beat me on the head and kicked me in the belly. I still suffer pain from this mistreatment. They showed me guns and said they would not hesitate to use them if I did not cooperate. They would throw my body in the canal and no one would be able to identify me.

I was terrified. I was sometimes allowed to keep some money. Then, I sent the money to my mother and children in Poland, but did not dare tell them of my predicament. After I had been working a few weeks under close guard, there appeared to be a chance to escape. A customer seemed to like me. I asked him for help. After some hesitation, he finally helped me to escape and took me to his apartment. Two weeks later, a furious Josef appeared on the doorstep. The customer who helped me became afraid and let me go. From then on, I was guarded even more closely and was not allowed to go anywhere unaccompanied. I pretended submission, and worked and laughed in the hope that my captors would relax their guard and that I could avoid any more physical assaults. I was still determined to escape. Finally, it worked. In an unguarded moment, I fled without knowing where to go.

On a street, I tried to ask an old couple for help. But they didn't understand me. I spoke to another woman passerby but she too did not understand me. But at least she understood that I was Polish. As luck would have it, she had a Polish neighbor. The neighbor understood my story. The woman allowed me to sleep in her house that night. The next day, she brought me to a center for asylum-seekers near her house because I told her I was afraid to go home. There, the staff helped me to apply for asylum. I was interviewed by the contact officer for the Ministry of Justice. I told him how I had come to the Netherlands, how I was forced to work as a prostitute. I told him I was afraid to return to Poland because I feared that the traffickers might take revenge on me for running away, and also because of the compromising photos that Josef had made and would send to my mother. But the Ministry of Justice decided that I did not fulfill the criteria for recognition as a political refugee, and rejected my request for asylum. Luckily, my lawyer recognized that I was actually a victim of trafficking. He contacted the Foundation Against Trafficking in Women (STV). They explained the laws against trafficking in the Netherlands; they told me what my rights were as a victim of trafficking and that I could press charges against the traffickers. Since I had nothing more to lose, and I was terrified that Robert and Josef would still keep on looking for me. I decided to press criminal charges. STV



contacted the anti-vice police, but strangely to me, the police did not believe me. They thought I had made up the charge of trafficking after my asylum request had been rejected, so that I could stay in the Netherlands. They could not understand why I had not filed the trafficking charges in the first place. Again I was fortunate. In another city, the woman with whom I had been brought to Germany had also been brought to the Netherlands and had also filed charges against Josef and Robert. The police in that town had contacted STV for assistance for her. Finally, with these two charges, my case was taken seriously. This gave me some sense of security, and it also meant that I would be allowed to stay in the Netherlands until the case had been tried in court and all judicial procedures were ended. I was relieved because I felt safer in the Netherlands than in Poland. But my relief was short lived. On the basis of the two charges, Josef had actually been arrested, but through a procedural mistake he was released. Robert was never found. After some time, my case was dismissed for lack of evidence and I would have to leave the Netherlands. Meanwhile, my mother had informed that "some strange people" had visited her and were asking where I was. How could I go back, what could I do? Fear and desperation overcame me, and I broke down. STV and my lawyer are helping me to obtain a residence permit for the Netherlands on humanitarian grounds, but it will take months, maybe years for a decision. Meanwhile, I miss my children and family.

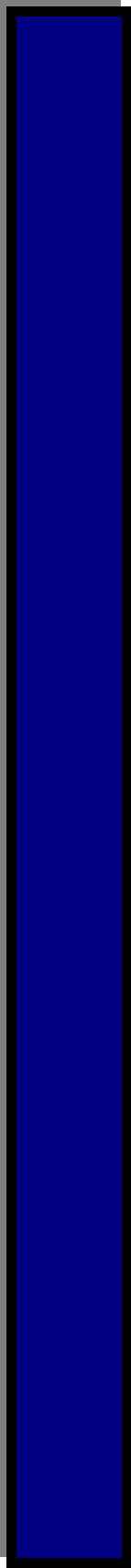
Lin Lap-Chew: Grazyna's experience is typical for most of the 400 women we have assisted over the 6 years we have been working. There are at least 5000 women who have been trafficked into the Netherlands - but nobody knows how many women have been victimized in this way in the whole of Europe, in America, all over the world. Thank you for listening to Grazyna.

2. TESTIMONY GIVEN AT THE "GLOBAL TRIBUNAL/HEARING ON VIOLATIONS OF WOMEN'S HUMAN RIGHTS" AT THE UNITED NATIONS WORLD CONFERENCE ON HUMAN RIGHTS, VIENNA, JUNE 1993

Ayesha Arshad

I am Ayesha Arshad, member of the National Council of the Bangladesh Trade Union Centre, and General Secretary of the Garments Federation of Bangladesh. I would like all my sisters and brothers participating in this human rights conference to accept warm greetings from myself and from my country.

I joined Aristocrat Garments, Dhaka, in 1980 as a training operator. About 50 men and 300 other women were also employed there. The men earned a monthly wage of Taka 1200 (US\$30), while women doing exactly the same



work earned 2/3 of the men's wage, a sum of Taka 800 (US\$20). Management was more repressive toward women; men were given leave and wage raises if they demanded them, but any woman who raised her voice faced the threat, too often carried into action, of dismissal. Women are so afraid of losing our jobs and face so many social obstacles that we often silence ourselves from protesting, and tolerate extreme exploitation. Another strong inhibiting factor against women's organizing to demand their rights is that if women lose their jobs, they face increased tension in their homes and may even be subjected to family violence. Women who are struggling for their economic survival continue to face extreme repression and violence in society, in the workplace, and in the home. Being women is our crime.

I want to share a personal experience with you. This happened a few days after I started working. Another woman worker, in the same job as me, was earning a quarter of my wages, Taka 150 (US\$4). There was no way of protesting this kind of injustice. We just had to tolerate it and continue, or we risked losing our jobs.

Suddenly, one morning, this woman fell unconscious on the floor. The doctor could not find anything wrong with her. Later, when she regained consciousness, we heard the reason for her falling ill. Her husband was dead and she had a baby son. She had no source of financial support. Her house was almost three miles from the factory, and every day she had to walk all the way, work from 8 am to 8 pm, and then walk back again. On many occasions, she couldn't afford to eat all day and had to spend whatever money she had to buy food and milk for her son. In the last six months, she had sold her blood on three occasions in order to buy milk for him. This is why she fainted.

Other women arranged to take her home, and gave donations for her treatment. We also raised the issue with the management and tried to persuade them to raise her wages. They refused to listen to us, because we were only workers. We were unorganized and we had no bargaining power. Although this woman had been working in the same factory for over a year, she had not received any increase in her wages. Month after month, the management exploited her weakness to deny her rights. Men protest, but women face greater difficulties in protesting: social and cultural perceptions, and restrictions on our mobility limit our employment possibilities.

Soon after this incident, it was May 1, International Solidarity Day for all workers and a national holiday. Management told the women workers that we would lose our jobs unless we worked on May Day. Men workers were given a holiday. Women were not given a holiday. We were told that women do not

need to take part in meetings and processions, and so we didn't need a holiday. But they should understand that we are also workers. We are never given any concessions as women on the factory floor. The Government never took any action against those who kept factories open, illegally violating worker's rights. We know of many violations of this type, but no employers have ever been prosecuted and they continue to violate our rights, year after year.

I couldn't square this with my conscience, and felt that I couldn't tolerate this kind of violation of our rights. Some women workers met with the senior operators to inform them that we refused to work on May Day. But the management refused to accept our demand. I then raised the case of the woman who fell unconscious and told them that they never acknowledged our problems, they totally subordinated our interests, and treated us like animals. The day after we refused to work, we were blocked from entering the factory. But united pressure from the workers ensured that we could enter.

But again two days later, when we were working inside, I suddenly felt suffocated, and in front of my eyes, ten to fifteen women slipped unconscious to the floor from their machines. I rushed to the gate, but found it locked. Several of us kept screaming for the gate to be opened, but no one came. We lay the unconscious women below the fan. I opened the windows and called for help and for the police. Some time later, the gate was opened. I kept shouting for people to call ambulances, or the women will die. We carried the women down and took them to the emergency ward. The doctor's report said they had been affected by some kind of gas. Management insisted we had fainted due to the heat. Our protest began.

Stories appeared in the daily newspaper. The main issue around which our struggle was held was 'Repression of Workers and the May Day Incident.' On that issue, I called all workers, women and men, together to discuss what action could be taken to resolve the dispute. We marched to the Press Club and we met trade union leaders. With their assistance, we decided to form a trade union. With a lot of difficulties, we collected the necessary forms and deposited them with the Labour Directorate. The management began a policy of repression against all the workers and particularly targeted me. They used both the police and mastans (thugs) to harass us. Everyone on my committee had their employment terminated. When we were told of the termination, the management's mastans were present. I left in fear of my life. After this, another nine workers were dismissed.

The Joint Labour Directorate informed us that they had been threatened that if they registered us as a trade union, they would all lose their jobs. They ad-

vised us to seek legal protection.

I sought legal help, and after nine months the court gave judgment recognizing us as a trade union. We formed a new committee and I worked with them on organizing the union.

The leaders of the Trade Union Centre appointed me as a member of the National Committee. I joined Singa-Bangla Garments. I formed another union in 1983 and was elected as the President of the Union. I also helped in the formation of seven unions in neighboring factories, with the help of trade union leaders and organizers.

In Bangladesh, as in other countries of the Third World, women and women workers in particular, suffer inhuman exploitation. The economic exploitation of their labor and patriarchal oppression results in severe violations of women's human rights. Many women workers are forced to work until ten pm daily. There is no provision for rest, for transport to the workplace, for medical assistance, or for childcare. Women are rarely able to obtain their legal entitlement to maternity benefits. We are also denied access to legal protection of our rights.

The situation of women working in rural areas is even more desperate. Women are involved in a range of occupations, including construction, but in every area they are denied fair wages. In all these cases, their human rights are being violated. The IMF and the World Bank dictate our official policies.

Discrimination between women and men in the workplace is pervasive. Women are the victims of inhuman behavior and harassment.

Child workers are also being dismissed in the thousands as a result of the recent Harkins Bill to be passed in the United States. They are being thrown out of work in the name of ending child labor. But no alternatives have been provided for them, and they are left abandoned in the streets.

I work at the grassroots level. When I meet these children, I discuss their problems. I feel like a criminal for being unable to do anything for them. We observe the laws and denounce child labor as illegal, but the law must serve the people-people cannot be forced only to serve the law. These children want to develop as human beings. They have a right to survival and to full development with human dignity. But has anyone thought of how this will be possible? We need to consider this urgently. They are our future generation. The only way to ensure their human rights is to ensure their survival. Every person with a con-

science has a duty to ensure their survival. I appeal to you on behalf of all workers and on behalf of my country to consider the economic situation before enacting laws. Otherwise, not only will human rights not be protected, but human rights violations will occur. Children will be forced into illegal and hazardous activities.

It is not only children, but also women who are being forced by economic desperation to migrate overseas in search of work. We all know of their problems. What are we able to do for them? We need to first consider that the women and children of our country are similarly disadvantaged, in that both are kept in ignorance of their rights and are denied access to justice. We should view them not as women and children, but as human beings suffering violations of their rights.

It is impossible for me to communicate the twelve years of my life as a worker to you within a space of ten minutes. There is no end to the discussion of the problems and difficulties faced by workers. I organize workers, and I am a worker myself. We will struggle and fight for our rights whenever we have to. But we also need your cooperation. One day we will be successful. I end with my thanks to you all.

From:

Testimonies of the Global Tribunal on Violations of Women's Human Rights, Compiled by Niamh Reilly, Center for Women's Global Leadership, 1994.

3. TESTIMONY GIVEN AT THE NGO FORUM OF THE 1994 INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT IN CAIRO, EGYPT

Loretta Ross

I actually got introduced as a political activist, and I have about 20 years as a political activist. But the purpose of my talk today is to talk about why I became a political activist. I represent many women of color in the United States whose stories are invisible. The abuses that women of color face in the United States are largely unknown. A lot of people don't know that they match the abuses that women face in developing countries.

My own story started when I was 11 years old. I was raped when I was 11 years old. I was a child to whom too many adults had access. I was a victim of child sexual abuse. This abuse went on so that by the time I was 14 years old I was pregnant. I ended up having that baby at 15, and the abuse continued, so

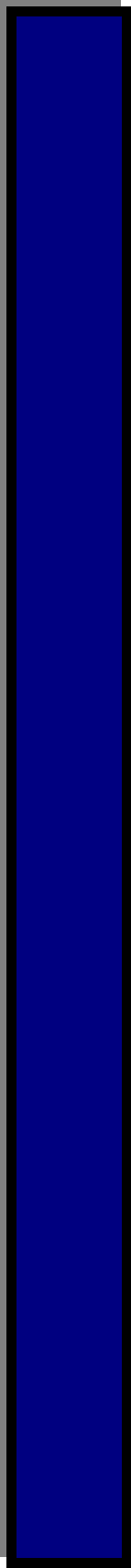
that by 16 I was pregnant again. At 16, I decided that I didn't want to be a mother of two children so I decided to have an abortion. But I couldn't get permission from my parents to have an abortion, so I had to forge my mother's signature. It took so long for me to go through the process of both saving the money and making the decision to forge the signature that I had a very late term abortion. I was well over six months pregnant by the time I had the abortion.

After I had that abortion, I decided that I didn't want to even begin to possibly risk getting pregnant again. And so I sought a birth control method that would not fail me as other methods had. So, at age 21, a few years later, I decided to accept the Dalkon Shield, an IUD that is no longer on the market. But if you all remember, the Dalkon Shield was a device that they made free and available to all poor women who asked for it; and I fit all of those criteria. I was a woman receiving public assistance, who already had a child, who didn't want to have more children; so, of course, I was able to get a Dalkon Shield inserted into me totally for free.

Two years later, I started developing major problems. I began to suffer from all types of infections that I kept going to the doctor for. They kept telling me that I had some form of venereal disease, some kind of STD. They kept treating me for all of these diseases for well over six months that it later turned out I didn't have. What I had was a defective Dalkon Shield.

One night I almost passed out while I was at home. I ended up calling a taxi to go to the hospital. If you live in a poor neighborhood you get to the hospital quicker if you call a taxi than if you call an ambulance. When I got to the hospital I was barely conscious. I remember them putting me on a stretcher. Within a half an hour they were wheeling me into surgery. On my way to surgery they put a piece of paper in my hand that I signed. When I woke up eight hours later I had been sterilized. My entire reproductive organs had been removed. I was 23 years old at the time.

What had happened medically was that my fallopian tubes had ruptured as a result of the Dalkon Shield, so my entire reproductive career lasted from age 14 to age 23. They didn't tell me why. They couldn't tell me why I had been sterilized. All they could tell me was that I was that unlucky woman that they didn't catch in time. But they never explained to me why through six months of treatment, it never occurred to the head of the OB/GYN facility at a major hospital to remove my Dalkon Shield. Even when I was admitted to the hospital in a coma, I still had the Dalkon Shield in me. They never removed that until it was part of the surgery.



This is actually a story about victory though; even though up until that time I had been a victim. Fortunately, I was so angry at what had happened to me that I immediately found a lawyer, and I became the first black woman to sue the maker of the Dalkon Shield, A.H. Robbins. It turns out that they knew more than five years before mine was inserted that it was unsafe, yet they were still making it freely available to women, like me, who got their health care through public family planning clinics. It also turned out that the hospital I was treated at knew that the Dalkon Shield was unsafe. But because it was a teaching hospital, they wanted their students to see what would happen to a Dalkon Shield patient who did not have it removed for six months. So I sued them, too.

I actually made a commitment in that moment that I would make sure that all the things that had happened to me would never ever, ever happen to another black women in America without somebody like me being there to fight for her. At the time these things were happening to me, my parents didn't understand, my community didn't understand, and the woman's movement such as it was at the time didn't understand. They didn't understand that we who were black, who were poor, who were women of color, had a special kind of human rights abuse that America saved just for us, and that we had to be as vigilant in fighting to protect our lives as anything because the rest of the world simply did not care. This doctor told me that what happened to me was a mistake, but as I pursue the fight to get rid of his medical license, I'm going to convince somebody that licensing that man was the real mistake.

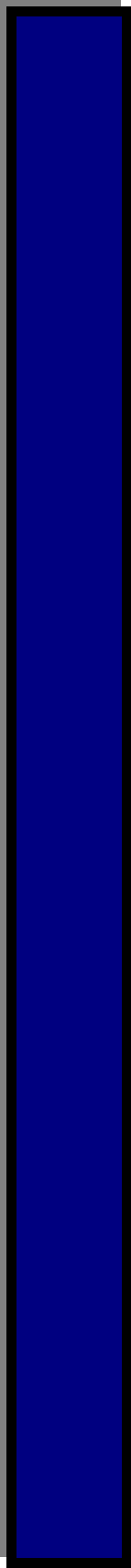
From:

Vienna to Beijing: The Cairo Hearing on Reproductive Health and Human Rights, Compiled by Malika Dutt, Center for Women's Global Leadership, 1995.

4. TESTIMONY GIVEN AT WOMEN 2000: A SYMPOSIUM ON FUTURE DIRECTIONS FOR HUMAN RIGHTS IN NEW YORK

Elizabeth Khaxas

Namibia is a country in Southern Africa which gained independence in 1990. Namibia has a democratic constitution based on the principles of equality, human rights and freedom. In fact, the first sentence of the preamble states that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is indispensable for freedom, justice and peace. However, this does not mean that the human rights of all Namibians are respected in practice. In fact, many citizens still do not know that they have hu-



man rights and what these rights are. Women, in particular, need information and education on their human rights and need to acquire the skills to claim these rights.

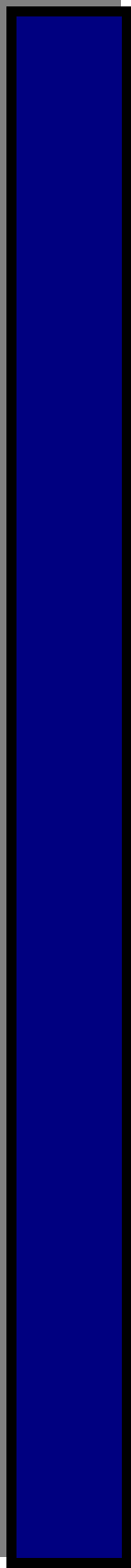
However, while our government claims to acknowledge and respect the human rights of all women in general, lesbian women in Namibia are regularly told by our government leaders that they have no human rights at all. The attacks against lesbian and gay people in Namibia began in 1995, shortly after the outburst by Robert Mugabe, President of Zimbabwe, who stated that homosexuals were worse than pigs and dogs. This discourse was taken up in Namibia by senior government leaders, who made statements such as, "Homosexuality is like cancer or AIDS and everything should be done to stop its spread in Namibia," and, "Homosexuality is an unnatural behavior, a behavior disorder which is alien to African culture." Even the president of Namibia publicly condemned homosexuality as "exploiting our democracy" and called for it to be uprooted from Namibian society.

This hate speech creates an atmosphere of fear, considering that sodomy between men is still illegal in Namibia, while the same sexual practice is not criminalized between a man and a woman. We do not yet have equality for all members of the human family, not even in the law books. In fact, in 1998 the Minister of Home Affairs stated in Parliament that his ministry was preparing legislation to ban homosexuality altogether.

Sister Namibia was the first organization in our country that became active in defending the human rights of lesbian and gay people, and we would like to share our experiences with you today. We are an autonomous non-governmental women's organization, which was founded in 1989 on the eve of independence with the following aims: To increase awareness among women, men and young people of the ways in which political, social, cultural, legal and economic systems of power control girls and women; and to oppose and challenge racism, sexism, homophobia and other discourses and practices that divide and oppress people. We utilize our bimonthly magazine, *Sister Namibia*, to promote the human rights of all women, including lesbian women. We also run a resource center that collects materials on women and gender issues. Furthermore, we conduct research and run training programs on women's leadership, human rights and HIV/AIDS.

The Namibian Women's Manifesto

Last year, Sister was given the mandate to compile a document called The Namibian Women's Manifesto, in collaboration with women and some men from women's and human rights NGOs, women in Parliament and all levels of gov-



ernment, political parties and individual women activists. We agreed to compile the Women's Manifesto in order to unite women's voices in holding government accountable to the implementation of the national gender policy and the many international conventions on gender and human rights it has signed since independence. The Namibian Women's Manifesto aims to mobilize women to participate in elections as candidates and as voters, and to place women's issues on the national agenda. It covers women's human rights in areas such as democracy, education, health and reproductive rights, the economy, the environment and the media.

Women from all major political parties participated actively in the drafting of the Women's Manifesto. However, at the time of going to print, the ruling party, SWAPO, withdrew its support because the document made references to the human rights of lesbian women. Allow me to read you the relevant two sentences from the twenty-five-page document that has been used by the ruling party to undermine the women's united call for the human rights of all women. I quote:

The human rights of all women, as guaranteed in the Namibian Constitution, need to be ensured, including the rights of the girl child, women living under customary law, women in marginalized ethnic groups, sex workers, disabled women, old women and lesbian women.

and:

We advocate that political parties state their policies on human rights, including violence against women and children, the rights of gay and lesbian people and customary practices that are harmful to women and children.

Lesbian and Gay People's Human Rights Not Recognized

The SWAPO Party Women's Council called a press conference just before the launching of the Women's Manifesto stating that it was confusing the Namibian women because the rights of lesbian women were, in their view, not a gender issue. This stand was already taken by our government leaders in the preparations for the World Conference on Women in Beijing, where the Namibian delegation was instrumental in keeping references to sexual orientation out of the Platform for Action. In contrast to this narrow definition of gender, we believe that issues of sexuality and sexual orientation are central to an understanding of gender. A further attack on the Women's Manifesto came from the Director General of the Department of Women's Affairs, who heads the newly established Ministry for Women's Affairs and Child Welfare. At a meeting of elected women from different political parties, she stated:

The so-called Women's Manifesto being circulated has no other message than asking women in Namibia to promote homosexuality. The same document calls for comprehensive sexuality education to be introduced into our schools, which is nothing more than a call for our children to be taught how to become gays and lesbians.

However, the call for comprehensive sexuality education in the Manifesto was made with reference to the high rate of AIDS infection in Namibia, which is the third highest in the world. We have regions in Namibia in which 50 percent of the people are already infected with the virus and the majority are girls and women. Are the Namibian people destined to die out for lack of comprehensive sexuality education because of the homophobia of our Minister of Women's Affairs and other top politicians?

Not if Sister Namibia can help it.

An Organizing and Lobbying Tool

In spite of the withdrawal of support for the Manifesto by the ruling party and the Department of Women's Affairs, many women in the thirteen regions of Namibia rallied around the Manifesto and used it as a tool to mobilize women on human rights issues. In the regional workshops, the issue of human rights of gay and lesbian people came up time and again and this led us to discuss the history of the development of the concept of human rights.

We explained that in 1948 it was mainly white middle-class men from Western countries sitting at the table to draft the United Nations Universal Declaration of Human Rights. This meant that violations of women's human rights through domestic abuse and rape, for example, were not part of the agenda. However, over the years more and more marginalized groups have joined the table to call for their rights as human beings—for example, ethnic minorities and indigenous people, differently-abled people, children, women, lesbian and gay people. Thus, the concept of human rights is expanding as our knowledge and understanding of specific forms of human rights violations grows.

The rural women attending our workshops in all regions of Namibia were pleased to learn that they had human rights not granted to them by the government of the day, but by virtue of being human. They said that this knowledge would empower them to stand up more strongly against domestic violence and harmful cultural practices and to assert their own dignity. By the same token, an overwhelming majority did not hesitate in embracing the human rights of lesbian women and having this included in "their" Manifesto. Without prompting, they came up with arguments against the ruling party on this issue. They made statements such as:

The Minister did not ask us for our views on this issue. Lesbian women are our mothers, sisters, and daughters. We cannot just throw them out. They are taxpayers like everyone else, and have the same rights as everyone else.

They even included these arguments in humorous role-plays, practicing how to bring the Women's Manifesto to their communities and sat up half the night debating these issues. Thus, The Namibian Women's Manifesto has become a lobbying tool for all women's human rights, including the rights of lesbian women, far beyond the expectations of its authors. It has also contributed to breaking the silence on issues of women's sexuality, which is so crucial for the prevention of unwanted pregnancy and HIV/AIDS. The Women's Manifesto Network is currently fundraising for and starting new projects in the areas of women's leadership, women's human rights, and women and HIV/AIDS.

Lesbians Denied Full Human Rights

When we campaign for the human rights of lesbian women, what do we mean? Take my case as an example: I have lived with my partner for ten years and we are raising our son together. Yet, we have no legal rights to live together as a family because we are two women and my partner is not a Namibian citizen. Her application for permanent residence has been rejected twice by the Ministry of Home Affairs without reasons given. Fortunately, a public interest law firm has taken up our case as a human rights issue, and we won a victory in June last year when the High Court of Namibia ordered the Ministry of Home Affairs to grant my partner permanent residence within thirty days.

The court recognized our relationship as a universal partnership, just like any heterosexual couple living together in community of property, but without a marriage license. However, the government has appealed against this decision and the case will be heard by the Supreme Court in October 2000. In the meantime, the Ministry of Home Affairs has not even renewed my partner's work permit, thus putting our life together on tenuous hold. Will we have to seek political refuge in South Africa, our southern neighbor, which has enshrined the human rights of lesbian and gay people in its 1994 constitution and has recently ordered the Ministry of Home Affairs to grant permanent residence to foreign partners of lesbian and gay citizens? This will be our last resort as we plan to stay put and continue our struggle for our rights as lesbian women in Namibia, including the rights to adoption, joint medical aid and pension fund, and the many other rights and benefits accorded to heterosexual couples. We are here to speak out in support of all lesbian women denied their human rights the world over, and we speak with the voices of many urban and rural women in Namibia who have understood that human rights are indivisible.

From:

***Holding on to the Promise: Women's Human Rights and the Beijing +5 Review*, Edited by Cynthia Meillón in collaboration with Charlotte Bunch, Center for Women's Global Leadership, 2001.**

5. TESTIMONY GIVEN AT THE UN WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCES HELD IN SOUTH AFRICA IN 2001 DURING THE PROCEEDINGS OF "WOMEN AT THE INTERSECTION OF RACISM AND OTHER OPPRESSIONS: A HUMAN RIGHTS HEARING," ORGANIZED BY THE CENTER AS A PART OF THE NGO PARALLEL ACTIVITIES DURING THE CONFERENCE.

Maria Toj Mendoza

My name is Maria and I come from Kiché in the western part of Guatemala. I am forty-nine years old and during my life I have lived many painful experiences. Today I am going to share with you not only some of my painful experiences, but also the values of the Mayan people. These values and principals helped our grandfathers and our grandmothers. They have helped me, and they will continue to help the Mayan people.

Guatemala has had a history of colonization and exploitation since the time of the Spanish invasion. But today we have only a short amount of time, so I am going to focus on the years of my own life. I will talk about the 1970s and the '80s and '90s, up till today. During the war that took place in the '70s and '80s, which was supported and financed by the United States, the Mayan people experienced genocide. In the past, the Maya were great scientists. They studied astronomy. They were great healers who knew about natural medicine. They lived without fear of the threat of destruction of our Mother Earth. But my own reality has not been that way. My reality was filled with the threat of destruction. It was full of terror and torture, kidnappings and bombings.

The war left more than 40,000 widows, thousands and thousands of disappeared people, over one million internally displaced people, over 300,000 refugees, and, and over 150,000 dead. They burnt our forests, destroyed thousands and thousands of homes. They burned our corn, and for us corn is sacred. They burned our crops. They burned our Mother Earth. And those of us who survived were psychologically; physically, and spiritually affected. In those years, we never knew when or where we were going to be attacked, nor where the bombs would come from. From the sky, from the earth. By day. By night.

We lived in constant terror. The nightmares of that terror have remained with us.

I am going to tell you about the cases of two women. The first is a young woman of seventeen, named Micaela, from the municipality of Chiché. On November 2, 1982, the army, accompanied by some military commissioners - one of whom was Cándido Noriega - surrounded the community and captured five people, including Micaela. The soldiers tortured and raped Micaela in front of the community. After raping her, they urinated and defecated on the floor. Then they mixed their filth with ashes and forced her to eat it.

The second case concerns a woman named Juana. In the same municipality, in the village of Tuluché, on a day in December 1982, the army and the judicial police entered the community. After several people had been captured, the Women and children took a few of their possessions and tried to escape. They hid down by the river, but the soldiers saw some of them. They fired at them and several were wounded. Juana, who was the mother of three children, was captured. They shot her two-month-old baby and then they raped her in front of her two other children, who were two and five years old. Then they killed her.

What happened to me took place in 1982, when we were attacked by the army. I was in Joyabaj, in Kiché province. When they saw us from a distance, they began to fire grenades with shrapnel at us. When one of them exploded, the left side of my body was hit. My ear was affected. I fainted and when I regained consciousness, I was covered with blood and a lot of matter was coming out of my ear.

My whole family was separated by the war. I didn't see two of my sons for seven years. Can you imagine what it would be like not to see your children, not to know how they are, not to see them grow up, not to be able to give them a mother's love and affection? I had to separate from my husband. I was alone in my community. The women of the community helped me when they found me abandoned. It is thanks to them that I had the strength to recuperate from those difficult moments. Although I did not die, I did not completely recover. I remained deaf in one ear. And more than anything else, I remained traumatized.

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people, because we were women, because we wanted to defend ourselves.

These are just three examples of many thousands of cases. The report of the Commission for Historical Clarification, Tz'inil Na 'Tab'al, recognized that there was genocide and ethnocide, but the government does not recognize it, because to recognize it would mean that there would have to be restitution, and they don't want to do it.

In 1996, the government of Guatemala, the *Unidad Revolucionaria Nacional Guatemalteca* (URNG), and the army signed the Peace Accords. Supposedly, the Accords would ensure that there would be peace. They were supposed to ensure that there would be respect for our collective rights, for our culture, for our right to health care and education, for our land and our territory. But so far, there have been only words and promises. They say that they are willing to do it, but in practice, we have not seen concrete results. All we hear are fancy speeches.

Even after all that has happened, I still have hope. And when people ask me how it is possible to have hope, I answer that I don't feel alone. There are women who have helped me very much through their example. They are the Mayan women of Guatemala and the women of civil society. But they are also you. They are the South African women who have given us an example of struggle and of hope. They are the Palestinian women, the women of Nicaragua and of Vietnam. And they are the indigenous women, like the Samis, the Kunas, the Miskitas, and all the women of Asia, of the Americas, of Europe and of Africa that inspire me and fill me with hope to be able to struggle to achieve a truly dignified and human future with real diversity and with all of our rights assured for ourselves, for our daughters and sons, and for our grand- daughters and grandsons.

WOMEN UNITED WILL NEVER BE DEFEATED!

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