



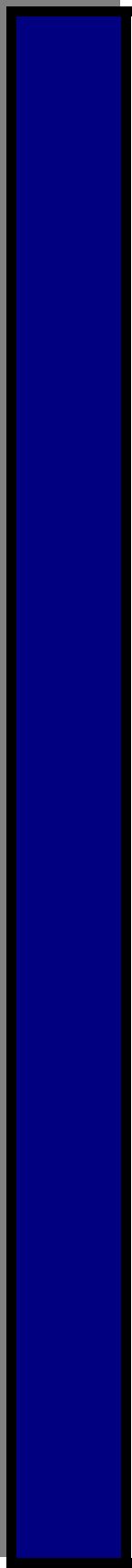
I. EN-GENDERING POPULAR TRIBUNALS/ HEARINGS

The use of popular (or peoples') tribunals and hearings first emerged in the 1960s. Since the 1990s, however, the use of tribunals/hearings by non-governmental organizations (NGOs), coalitions and social movements has surged around the world. Over the last ten to fifteen years there have been countless tribunals and hearings bringing attention to critical human rights issues at local, national, regional and global levels. At the international level, this has included, for example, more than thirty sessions of the Permanent Peoples' Tribunal (1979-present), the Vienna Tribunal on Women's Human Rights (1993), the International Peoples' Tribunal on Human Rights and the Environment (New York, 1997), and the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery (Tokyo, 2000). More recently, the Jubilee South campaign concluded its International Peoples' Tribunal on Debt at the World Social Forum (Porte Alegre, 2002). In April 2004, the "BRussells Tribunal" brought together a group of "academics, intellectuals and artists in the tradition of the [1967] Russell Tribunal" to highlight war crimes in the current war in Iraq.

What are the roots of this vibrant tradition? In what ways have women's movements defined and used popular tribunals/hearings?

The Bertrand Russell Tribunal is widely regarded as initiating the tradition. Russell, a British philosopher and activist, was responsible for the first international People's Tribunal, which was convened in Sweden and Denmark in 1967. The goal was to raise public awareness of atrocities being committed in Vietnam by the United States and its allies. The Russell Tribunal brought together well-known figures from around the world, including French writers Jean-Paul Sartre and Simone de Beauvoir, as well as Vietnamese witnesses.

It was not long before women began to use tribunals and hearings as a way to make visible gender-based abuses that are often hidden in the "private" contexts of home, family, personal relationships, religion and traditional practices. "Second wave" women's movements, which gathered momentum in the 1970s, were committed to breaking the silence around the subordination of women in both private and public spheres. Naming gender-specific abuses as crimes -- whether committed by strangers or spouses--became and remains a pivotal rallying point for these movements. Not surprisingly, feminist organizers were among the first to see the potential of popular tribunals as a way to claim the "public" space of a tribunal to expose previously "private" violations. Inspired



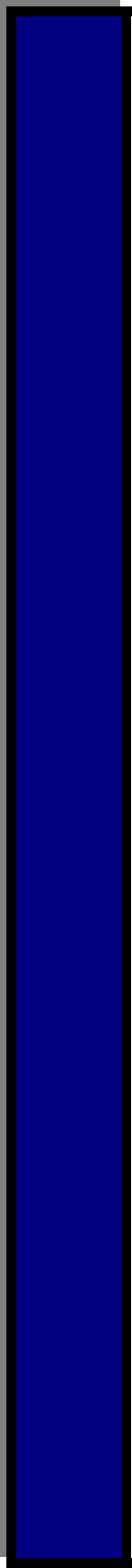
by the Russell Tribunal, the first International Tribunal on Crimes against Women was held in Brussels in March 1976. Emphasizing the power of personal testimony, the tribunal brought international attention to issues including “violence against women, forced motherhood, compulsory heterosexuality, crimes within the patriarchal family, economic crimes, dual oppression of Third World women and migrant women [and the] sexual objectification of women.”

In June 1979 the Permanent Peoples’ Tribunal (PPT) initiative was launched in Italy by the Lelio Basso International Foundation for the Rights and Liberation of Peoples. The PPT, which also acknowledged its roots in the 1967 Russell Tribunal, aimed to deepen the tradition by establishing a long-term tribunals program to build a body of “peoples’ law” that would provide a “resource base of peoples’ actions and judgments and a capacity for intervention [towards] . . . the humanisation of world orders.” Such a peoples’ law “is premised upon the political force of contemporary peoples’ mobilisations against corporate-military appropriations of the state as the legitimate means of transformational politics” (Jayan Nayar, Coordinator, Peoples’ Law Programme).

Since it was founded, the PPT initiative has worked with other NGOs to convene dozens of tribunals on a wide range of abuses in specific countries, from Argentina and Afghanistan, to the Former Yugoslavia, Philippines, Tibet, and West Sahara. Tribunals have also examined human rights and accountability issues vis-à-vis the policies of the IMF, World Bank and transnational corporations, as well as environmental catastrophes such as the Bophal and Chernobyl disasters. In the 1990s, PPT sessions examined abuses in the garment industry worldwide and threats to the human rights of children and asylum seekers globally.

The end of the cold war in 1989 prompted a renewed interest in human rights thinking and practice as a framework to challenge injustice. The growing use of popular tribunals by diverse social movements has been part of this development. Arguably, women’s movements have led the way in promoting this wider use of popular tribunals/hearings to advance human rights education and advocacy.

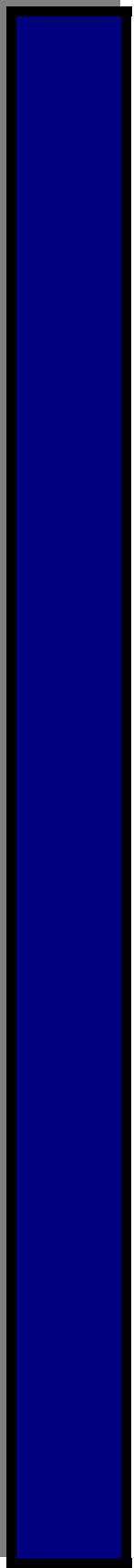
In 1991, cognizant of the 1976 International Tribunal on Crimes against Women and the Permanent Peoples’ Tribunal initiative, the Center for Women’s Global Leadership began working with a loose international coalition -- the Global Campaign for Women’s Human Rights – to plan and organize the Vienna Tribunal on Violations of Women’s Human Rights. The Tribunal, which was part of the NGO Forum of the Second World Conference on Human Rights (Vienna, 1993), reflected a particular moment in transnational women’s organizing that sought explicit recognition of “women’s rights as human rights” by the United



Nations and the international human rights community. The decision to use a semi-formal tribunal format conveyed the message that established human rights law and forums had failed to include women's human rights concerns. At the same time, the Vienna Tribunal claimed the moral and legal authority of human rights standards in seeking justice for women. Further, it challenged existing definitions and interpretations of these standards, which have been biased toward the experience of men and the agendas of states in the global North. As a result of the wider Global Campaign and the Vienna Tribunal, the proceedings of which were presented to the intergovernmental conference in Vienna, the Vienna Declaration and Programme for Action recognized women's rights as human rights and, in particular, defined violence against women as a violation of human rights.

Before and following the Vienna conference, however, many women's organizations around the world started to organize hearings and tribunals at the local and national levels. This included hearings and speaks-outs in Argentina, Nepal, Pakistan, the United States, and Zambia. The Center also co-sponsored a series of hearings on women's human rights at the UN Conference on Population and Development (Cairo 1994) and the World Summit on Social Development (Copenhagen 1995). The series culminated in a Global Tribunal on Accountability for Women's Human Rights at the NGO forum of the UN Fourth World Conference on Women in (Beijing, 1995). The Beijing Tribunal, together with the World Public Hearing on Crimes Against Women (coordinated by the Asian Women's Human Rights Council) helped to demonstrate the centrality of a human rights framework to negotiations on the Beijing Platform for Action. Building on this tradition, the Center also organized The Global Tribunal: Celebrate and Demand Women's Human Rights on the occasion of the 50th Anniversary of the Universal Declaration of Human in New York in 1998, as well as a women's human rights hearing at the UN World Conference Against Racism in Durban, South Africa in 2001.

The Women's International War Crimes Tribunal on Japan's Military Sexual Slavery (Tokyo, 2000) was also a major milestone in "engendering" popular tribunals. This tribunal combined a feminist commitment to exposing previously invisible atrocities of sexual violence (perpetrated by the Japanese military against "comfort women" during World War II) with the methodology of the "People's Tribunal". Organized by Asian women's and human rights organizations, the Tribunal took two years to plan while the final judgment took over one year to complete. Sixty-four survivors from throughout the Asia-Pacific region took part in the five-day Hearing, which was viewed by more than one thousand observers from around the world. The Tribunal heard the testimonies of survivors, academics, and war veterans and received extensive evidence submitted by nine country prosecution teams and two chief prosecutors. The



final 200-page judgment issued on in December 2001 found the accused guilty of crimes against humanity.

Thanks to the work of these and other women’s human rights advocates, gender issues and violations of women’s human rights are being given greater visibility in other “Peoples’ Tribunals” initiatives. For example, the report of the 1997 International Peoples’ Tribunal on Human Rights and the Environment: Sustainable Development in the Context of Globalization refers to women’s human rights throughout the judgment. Similarly, the Concerned Citizens’ Tribunal - Gujarat 2002 collected extensive oral and written testimonies from survivors, experts, human rights groups, and NGOs – including many women’s groups. Further, the final report of the Gujarat Tribunal has a separate section on violence against women and, in particular, condemns the systematic sexual violence perpetrated against Muslim girls and women in the state of Gujarat as “an instrument for the subjugation and humiliation of a community.”

We hope that this publication will contribute to the ongoing development and use of popular tribunals and hearings as spaces where the voices of survivors and advocates around the world are heard and where the struggle for global rights is advanced.