

# The Vienna Tribunal

by Gerry Rogers

*L'auteure parle de la réalisation du film «Le tribunal de Vienne». Le film documente les témoignages tragiques de femmes qui s'expriment sur la violation de leurs droits*

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*humains dans le contexte familial, des crimes de guerre contre les femmes, de la violation de leur corps et de leur intégrité, de leurs droits socio-économiques ainsi que de la discrimination et de la persécution politique.*

I got a phone call about two weeks before the Tribunal happened in Vienna. It was one of those calls as feminist activists we so often get, "Gerry there's not much time and there's not much money, but it's so important. Will you do it?" It was the Center for Women's Global Leadership at Rutgers University. They had received a small grant from Canada's International Centre for Human Rights and Democratic Development to record the Global Tribunal on the Violations of Women's Human Rights.

Thirty-three women from 25 countries would stand before a podium and give testimony on their behalf or on behalf of other women who could not be there because it was too dangerous, or, because it was too late they had already been killed. They would give this testimony downstairs in the basement of the Vienna Centre, before a panel of international judges, who would then make recommendations to the UN World Conference on Human Rights which was taking place upstairs.

There wasn't a square foot of unoccupied space in the basement of the Vienna Centre. Of course every group there was representing atrocious human rights violations from all over the world. Activists from every corner of the world were hanging pictures of torture victims burned, hung, shot, dismembered, on already overcrowded walls. The UN Declaration on Human Rights had been in place for a long time and yet gross human rights violations were happening everywhere.

The Tribunal was scheduled to run Tuesday, June 15th from 9:00am to 6:00pm. We had two days to pull it all together. The air was electric with activity. The "Women's

Place" was the center and nerve of the Tribunal. The organizers had foresight to create a space where all women testifying, together with their support teams, could gather, review their presentations, encourage and support one another, and even have fun.

Tuesday morning, 6:30am, we were ready and waiting outside the doors of the great hall. There were only so many spots available to plug in and we knew there would be a scramble by all the media to get their plugs in. We were the first in. Shortly after we had set up we were followed by a production team from India and then by one from Germany. Our three teams shared that crowded four by six foot platform throughout the entire Tribunal. Sitting on the floor beside our platform were women from feminists radio programs from all over the world: FIRE Radio from Costa Rica, WINGS from the USA, and others we didn't have a chance to meet. We shared food, batteries, technical tricks and advice, looks of dismay, anger, and pain as we heard the testimonies. It was a long grueling day, made even tougher by the horrendous stories we heard. And we heard every word, listening not only for content but also making sure we were recording it clearly. None of us wanted to miss a beat.

In the section on "Human Rights Abuse in the Family" Gayla Thompson (USA) was the first to testify. She told the story of years of physical abuse at the hands of her former husband, a big city cop. She couldn't get help from the police who closed ranks to protect "one of their own." She talked about the failure of the US justice system to deal with batterers. Perveen Martha (Pakistan) was severely burned by her husband who accused her of adultery, while he constantly brought home mistresses and tried to force her to sleep with his friends. He divorced her, kept her children and her dowry. She hasn't been able to get any help from the legal system. Stella Mukasa (Uganda) spoke on behalf of Mrs. Dravu, another battered woman who was burned by her partner when he came home drunk one night enraged because supper was not ready and the children were crying. Stella presented the enormous problem of wife beating in African countries and the lack of support from the justice system. Rosa Logar (Austria) gave similar testimony to the issue of wife-battering in Europe and the inaction of the legal system. When Maria Celsa da Conceicao (Brazil) tried to escape from her violent boyfriend, he tried to murder her by burning her. He is free and she bears the scars of both his violence and the inaction of the legal system. Sara Patricia Potugues (Costa Rica) and Gabrielle Wilders (USA) told their personal stories of incest at the hands of their father and step-father, again highlighting the inaction of the legal system, health care, and social services systems. They also highlighted how

incest and child sexual abuse has never been considered a human rights violation against girl children in the context of the family. In all cases, the abusers continue their lives with impunity.

The testimonies highlighted the universality of violence in women's lives; the fact that the "family" is not a site of unconditional safety for women or girls; the connection between women's economic vulnerability and violations of the human rights; and the obstacles to bringing so-called "private" violations to public accountability.

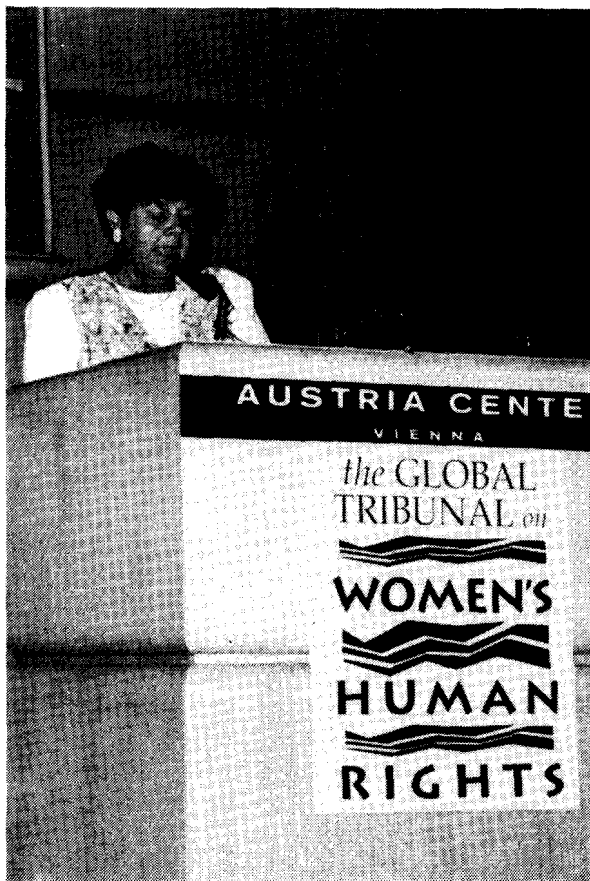
In the section on "War Crimes Against Women" Chin Sung Chung (Korea) outlined the history of hundreds of thousands of Korean women taken by the Japanese military during the war from 1932 to 1945 and used as female sexual slaves for the soldiers. Bok Dong Kim (South Korean) told her own story of having been taken from her village at 14 years of age by the Japanese military to supposedly work in a munitions factory, only to be held for years as a military sexual slave and serially raped daily. She ends her personal testimony demanding justice and compensation. Randa Siniori (Palestine) recounted stories of sexual terrorism against female Palestinian women prisoners at the hands of Israeli soldiers and ends with saying Palestinian women are also abused domestically by Palestinian men. M. Asha Samad (Somalia) recounted story after story of refugee women in the camps who are forced to "pay" officials for food, "safety," and supplies with sex. Emma Hilario and Janet Tello (Peru) list the

sexual terrorism against women in their country at the hands of officials, police, and the military. Olga Kudryavtseva (Russia), a photographer showed graphic pictures of women's breasts cut off and put on tanks. She spoke of the suffering of women during times of conflict. Slavica Kusic (Croatia), Lepa Mladjenovic (Serbia), Fadila Memisevic and Aida Zaidgiz (Bosnia/Herzegovina) tell the stories of thousands of women raped, killed, left homeless, whose daughters were raped and children killed in the streets, in their homes and in the camps in the Former Yugoslavia.

The testimonies attested to the fact that war crimes against women have never been considered a specific human rights violation; that women's bodies become a site of combat for control, revenge, and appropriation of territory; and that women's socio-economic vulnerability results in even further suffering and vulnerability in times of conflict with no recourse to justice or recompense.

In the section on "Violations of Bodily Integrity" Lin Lap Chew (The Netherlands) spoke on behalf of Grayzna (Poland). Grayzna accepted the promise of work from two men who arranged her passage to Germany for a better paying job. They abducted her, took her passport, and forced her to work as a prostitute. She eventually escaped, tried to obtain refugee status, was refused and continues to live in fear. Nahid Toubia (Sudan/usa) testified about female genital mutilation. She recounted the stories of women who were unable to say "no" on their own behalf or behalf of their girl children because they were economically and socially powerless. She insisted that FGM is not a private issue nor the concern of only one nation, that it affects around 100 million women the world over, and that it is a direct human rights violation against girl children that affects them into their womanhood. Joanne Gilbert (Canada) was drugged, attacked, and raped by an acquaintance. She is now disabled and uses a wheelchair. She testified to the lack of justice in the legal system. Her abuser is free. She lives in fear as he continues to stalk her. She testified about the double vulnerability of poor women with disabilities. Rebeca Sevilla (Peru) testified about the social, political, and economic discrimination against lesbians internationally. She highlighted cases of violence against lesbians and outlined the difference between disagreement of a "lifestyle" and discrimination and called world leaders to end discrimination and entrench lesbians' human rights. Petrona Sandoval (Nicaragua) testified on the misuse of medical treatments and violence against women internationally. Herself a victim of medical malpractice, she has been left physically disabled through the improper use of an epidural anaesthetic during a Caesarean birth. She challenged the failure of the government and international medical community to investigate and correct these violations of women's reproductive rights.

The recurring themes in this section highlighted how religious, social and cultural norms are used to control women politically, economically, and sexually. The women who testified in this section again called for the adherence



Maria Olea (Chile)

Photo: Cindy Ewing

to the principles of universality and that women's control of their bodies, sexuality and reproductive capacity be seen as basic fundamental human rights issues.

In the section on "Social and Economic Rights," Maria Lourdes de Jesus (Cape Verde/Italy) testified on behalf of migrant domestic workers who are abused physically, emotionally and economically by employers who act with impunity. She spoke of workers raped by employers, abducted, and forced into prostitution. Left homeless and without legal status, who have no recourse to law or resources. Bernice A. See (Philippines) testified on behalf of Indigenous women suffering at the hands of colonizers

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and the military. She talked about the injustice of the legal and political system and how government-sanctioned militarization and development is a slow deliberate form of ethnocide. Charon Asetoyer (USA-Native American) testified on behalf of Indigenous women in the borders of USA. She described situations of extreme poverty, ill-health, drug abuse, suicide, cultural annihilation, environmental pollution, land rights violations, and violations of women's reproductive rights as a result of racist and discriminatory government policy. Ayesha Arshad (Bangladesh) told the story of a co-worker in a garment factory who was a sole-support mother, and had to walk three miles to work every day. The women earned only two-thirds of what the men earned for the exact same work. This woman began to grow weaker. One day she collapsed at work. Her friends finally discovered she'd been selling her blood in order to feed her child. Through their outrage at the unfair labour practices against women workers, the women again tried to unionize, only to be met with threats, intimidation, and dismissal. Ayesha called for international solidarity and action on the violations of women's human rights in the workplace. Elaine Hewitt (Barbados) testified that although the majority of state in the Caribbean have signed and ratified the Universal Declaration of Human Rights (1948) and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the reality of women's lives in her country is still one of discrimination on the basis of sex. She particularly focused on the negative effects of the structural adjustment programs forced on countries by international financial institutions such as the World Bank and the International Monetary Fund. These SAPs are undermining all social programs and, therefore, impacting on the lives of women who are already economically, socially and politically disadvantaged and making

them even more vulnerable to violence both in the home and out. She called on the UN to adhere to the principles of basic socio-economic human rights for all people including women.

The main theme that evolved out of this section was the increasing vulnerability women are facing because of the spread of economic policies imposed by international financial institutions forcing the cutting down on social programs and spending, thereby leaving already disadvantaged women with fewer economic and social resources.

In the section on "Political Persecution and Discrimination," Maria Olea (Chile/USA) escaping a violent husband who threatened her life, fled Chile to seek refuge in the USA. Chile was in the middle of violent political upheaval. She applied for political refugee status on the grounds of being a battered wife and was denied. She testified on behalf of herself and other undocumented women who fled violent situations in their countries only to be denied justice in the US and further victimized by employers and other officials because of their illegal status. Gertrude Fester (South Africa) testified on behalf of herself and other women who had been detained by the apartheid regime of South Africa. Many women were sexually harassed, raped, and tortured. They were threatened with rapes of their mothers, sisters, and friends if they didn't reveal the names of other women's groups, feminist groups and lesbians. Norma Valle and Ana Rivera-Lassen (Puerto Rico) outlined the repressive measures taken by the government against women's groups and individual feminist activists. They told stories of persecution and harassment, government "agents" stalking, stealing and altering files, visits to employers and family members, firings. They charged that interference with the right to gather and organize as women and feminists is a direct violation of our human rights. Khalida Messaoudi (Algeria) testified on behalf of Oum Ali, a single mother who was terrorized by Muslim extremists for living without a husband. She was systematically harassed on a daily basis, stoned, and finally the terrorists burned her house. Her youngest child died in the fire. She also told the stories of several women who had been harassed, terrorized and in the case of Saraya, murdered in a ritualistic stoning. Khalida ended her testimony by showing a document produced by the Islamic Republic demonstrating the proper size of stone to be used in the stoning of women.

The testimonies in this section identify the specific, gender-targeted persecution of women by state, cultural, and religious institutions. The form and extent of persecution varies from country to country. As increasing numbers of women migrate or become refugees the concept of universality and basic fundamental human rights for women is even more crucial.

The Tribunal was over. Although scheduled to end at 6:00pm it went way over. Everyone was tired, overwhelmed by the experience yet also jubilant. The translators, who had been there all day and whose voices at times cracked as they relayed the stories of the women testifying,

volunteered to stay overtime on their own time. People were determined to stay till the end, until every woman's voice was heard. This was not a session where victims stood up to simply tell their stories, but where women in solidarity from all over the world gave the world a global snapshot of what is happening in a lot of women's lives. These were women demanding change!

The next step was crucial in the completion of whole process. The stories and judges' recommendations had to reach world leaders at the official UN World Conference upstairs in the great hall. Women delegates from all over the world lobbied for time on the floor. The conference

to the assembly. The petition was part of an international campaign organized by over 900 women's groups. It had been circulated in 124 countries and translated into 21 languages. While the petitions were being delivered to the Chair, Charlotte stated:

*In presenting these petitions and reporting on this Tribunal, we ask this body to consider: why was such a Tribunal necessary? Why has this area of massive violation of women remained invisible for so long? And what will the world community do to redress this abuse in the future? Abuses of women have too long been dismissed as*



Tribunal testifiers

Photo: Cindy Ewing

was running behind schedule and time was at a premium. Word got out that the Tribunal was granted time. How much time and when was another issue. Everyone was on standby. Rumours abounded as to exactly when. Finally word was sent down, the presenters would have to be ready to respond. Charlotte Bunch, Director of the Center for Women's Global Leadership (USA) and Florence Butegwa, Coordinator of Women in Law and Development in Africa (Uganda) would deliver the judges' findings and recommendations. Already a number of official delegates had been raising the issues of women's human rights upstairs as a response to the incredible lobbying women from all over the world had been doing and as a reaction to the buzz around the building from word-of-mouth and media reports about the Tribunal. The stage was set.

Charlotte and Florence took their place in the back of the hall. The upstairs galleries were crammed with women. In opening their presentation, a petition urging the UN to address the issue of women's human rights was presented

*private, family, cultural, or religious matters. Today we demand that they be seen for what they are: fundamental violations of the "right to life, liberty, and security of person" as guaranteed by the Universal Declaration of Human Rights.*

Florence then presented the judge's seven recommendations: the establishment of an International Criminal Court for Women to protect and enforce women's human rights, including the rights to freedom from sexual abuse, mass rape and forced pregnancy in armed conflict; the strengthening and enforcement of the Convention on the Elimination of All Forms of Discrimination Against Women; the integration of gender perspective in all human rights committees established under human rights treaties; the expansion of the work of the United Nations and its specialized agencies for preventing and redressing all violations of women's human rights; the recognition that many of these violations take place in the private

sphere of the family, and that domestic violence is a violation of human rights; the adoption by the General Assembly of the Draft Declaration on the Prohibition of Violence Against Women; the establishment of a Special Rapporteur with a broad mandate to investigate violations of women's human rights.

Florence then added:

*The courage of these women will inspire many other women to speak out and to demand their human rights, and will encourage others to work for vindication. The voices of these women have broken the silence. Their appeal to the world must be heard. It must be redressed.*

Since the Tribunal three of the recommendations have been realized. In December 1993 the United Nations General Assembly adopted the Declaration on the Elimination of Violence Against Women. In March 1994 the United Nations Commission on Human Rights agreed to the appointment of a Special Rapporteur on Violence Against Women, Radhika Coomaraswamy of Sri Lanka. And, the United Nations Commission on Human Rights has adopted a resolution calling for the full integration of women's rights into the work of all human rights monitoring mechanisms.

But, there is still much work ahead.

Gerry Rogers is feminist filmmaker working in St. John's, Newfoundland. "The Vienna Tribunal" has won a number of international awards.

For a copy of the video, "The Vienna Tribunal," which highlights the testimonies and proceedings of the Global Tribunal on Violations of Women's Human Rights, directed by Gerry Rogers, contact Augusta Productions, 54 Mullock St., St. John's, NF, Canada A1C 2R8, 709-753-1861 Fax 709-579-8090.

#### References

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## MARIE-CLAUDE JULIEN

### Ici, maintenant, ailleurs

Ce soir la lune est africaine. Le thé au lait chaud goûte là-bas. Il suffit parfois de changer de lieu pour aimer ce qu'autrefois on n'aimait pas. Il suffit d'enfiler l'étrange comme un blouson. Comme ce goût du thé au lait chaud dans la bouc he. Il suffit de fumer une Cléopâtra pour retrouver l'odeur du sable et du narguilé. Il suffit d'y croire d'autant plus fort qu'on ne l'a pas sous les yeux.

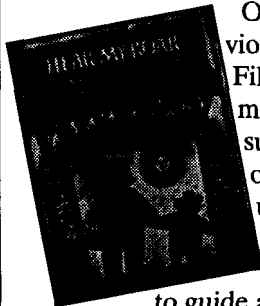
Ce pays remonte en moi comme si j'y avais des racines. C'est peut-être d'avoir frôlé du pied ses milliers d'années. C'est peut-être d'avoir creusé sa terre jusqu'à ne plus voir qu'un carré de ciel bleu, complètement lisse et nu, au dessus de ma tête. C'est peut-être cette terre noire mouillée de sueur collée à mes mains et mes genoux. Cela remonte comme le vent chaud du soir sur mes cuisses.

*La poésie de Marie-Claude Julien apparaît plus tôt dans ce numéro.*

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