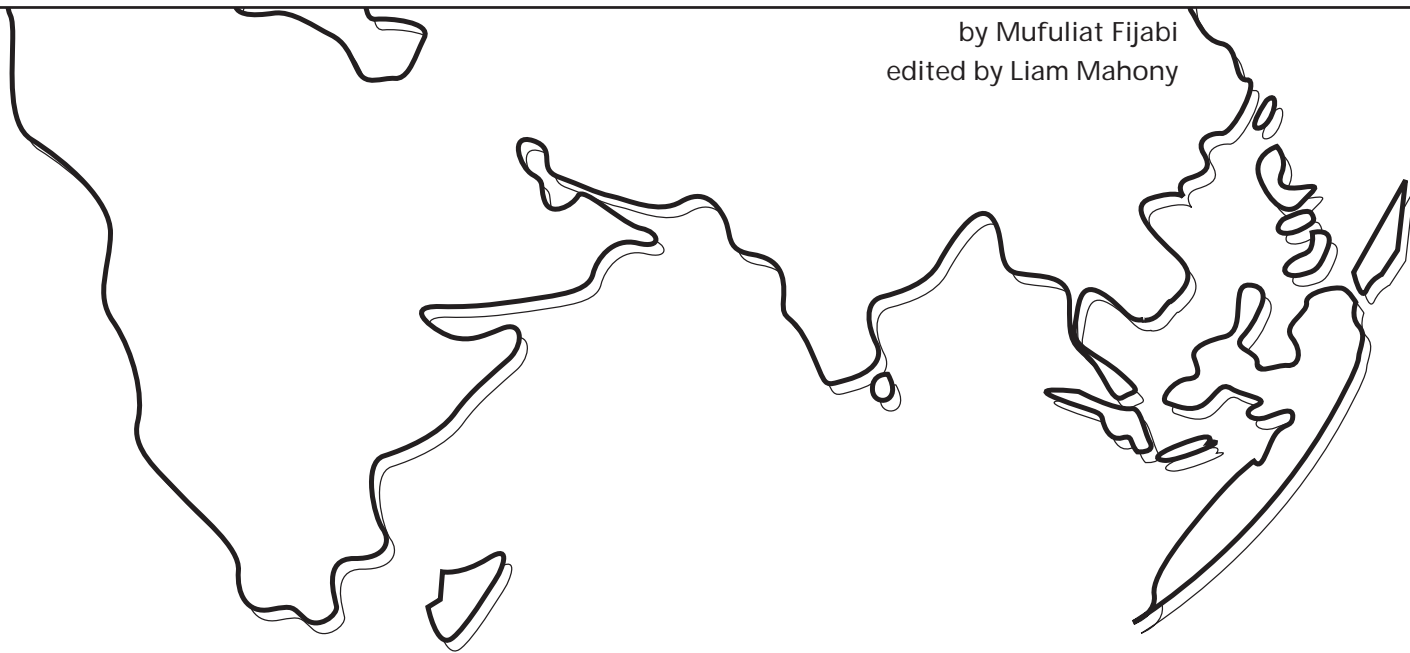


A Mock Tribunal to Advance Change

The National Tribunal on Violence Against Women in Nigeria

by Mufuliat Fijabi
edited by Liam Mahony



Published by
The Center for Victims of Torture
New Tactics in Human Rights Project
717 East River Road
Minneapolis, MN 55455 USA
www.cvt.org, www.newtactics.org

Notebook Series Editor
Liam Mahony

Design and Copyediting
Susan Everson

The Leadership Academy of the Desmond Tutu Peace Centre and the Center for Victims of Torture wish to acknowledge the following institutions that provided support for the New Tactics in Human Rights African regional training workshop, of which this and other tactical notebooks are a product:

- The Rockefeller Foundation
- The International Center on Nonviolent Conflict
- Norwegian Church Aid
- The European Union Conference, Workshop and Cultural Initiatives Fund in conjunction with the South African National Trust
- The United States Department of State
- The United States Institute of Peace
- Donors who wish to remain anonymous.

We are also greatly indebted to the work of numerous interns and volunteers who have contributed their time and expertise to the advancement of the project and of human rights.

The New Tactics project has also benefited from more than 2000 hours of work from individual volunteers and interns as well as donations of in-kind support. Some of the institutional sponsors of this work include Macalester College, the University of Minnesota, the Higher Education Consortium for Urban Affairs, the Minnesota Justice Foundation and the public relations firm of Padilla Speer Beardsley.

The opinions, findings and conclusions or recommendations expressed on this site are those of the New Tactics project and do not necessarily reflect the views of our funders For a full list of project sponsors see www.newtactics.org.

The views expressed in this report do not necessarily reflect those of the New Tactics in Human Rights Project. The project does not advocate specific tactics or policies.

© 2004 Center for Victims of Torture
This publication may be freely reproduced in print and in electronic form as long as this copyright notice appears on all copies.

4	Author biography
5	Letter from the New Tactics project manager
6	Introduction
6	The Problem: Violence, women's rights, & silence in Nigeria
7	Objectives of the tribunal
7	Steps taken to implement the tactic
10	The mock tribunal: 14 March 2001
10	Immediate impact
11	Follow-up activities
12	Long-term impact of the tribunal
12	Challenges
12	Use of the tactic
14	Conclusion



The Center for Victims of Torture
New Tactics in Human Rights Project
717 East River Road
Minneapolis, MN 55455 USA
www.cvt.org, www.newtactics.org

Contact Information

BAOBAB for Women's Human Rights
232A Muri Okunola Street
Victoria Island, Lagos, Nigeria
Mailing address:
P.O. Box 73630
Victoria Island, Lagos, Nigeria
phone: +234-1-262-6267 or +234-1-320-0484
email: baobab@baobabwomen.org
website: www.baobabwomen.org

Mufuliat Fijabi

Mufuliat Fijabi is a Senior Programme Officer with BAOBAB for Women's Human Rights. She joined BAOBAB in 1999 as an Assistant Program Officer, and works there on issues of women's human rights, Muslim laws, violence against women, and gender and communication. Before 1999, she was a full time journalist in both print and electronic media organizations. In 2001 she worked on the media committee in the planning of the National Mock Tribunal.

Implementing organizations

BAOBAB for Women's Human Rights is a leading not-for-profit women's human rights organization in Nigeria, working to defend and develop women's human rights in religious, secular, and customary law—Nigeria's three parallel legal systems. The organization works with women, legal professionals and paralegals, women's groups, human rights NGOs, and members of the general public to promote the development and exercise of women's human rights. By raising awareness of these rights, abuses of them, and other legal issues affecting women, BAOBAB seeks to determine policies which can best promote and strengthen all human rights, and support human rights organizations and activists. BAOBAB sponsors training and educational programs, including legal education, and publishes educational leaflets, research reports, and other materials.

The Civil Resource Development and Documentation Centre (CIRDDOC) was the co-organizer of the 2001 mock tribunal. CIRDDOC is an independent, national, non-governmental, and non-profit organization committed to protecting and promoting human rights and to strengthening NGO capacity by training leaders in governance skills, democracy, human rights, gender sensitivity, and collaborative approaches.



September 2004

Dear Friend,

Welcome to the New Tactics in Human Rights Tactical Notebook Series! In each notebook a human rights practitioner describes an innovative tactic used successfully in advancing human rights. The authors are part of the broad and diverse human rights movement, including non-government and government perspectives, educators, law enforcement personnel, truth and reconciliation processes, and women's rights and mental health advocates. They have both adapted and pioneered tactics that have contributed to human rights in their home countries. In addition, they have utilized tactics that, when adapted, can be applied in other countries and situations to address a variety of issues.

Each notebook contains detailed information on *how* the author and his or her organization achieved what they did. We want to inspire other human rights practitioners to think *tactically*—and to broaden the realm of tactics considered to effectively advance human rights.

In this notebook we learn about the creative and effective use of a mock tribunal to change public perceptions and beliefs regarding violations against women, and to change public policy and law. BAOBAB for Women's Human Rights, in collaboration with CIRDDOC (Civil Resource Development and Documentation Centre), highlighted violations of women's rights in Nigeria that were viewed by the public as normal or even justifiable abuse. The organization used prominent people—a Nigerian Supreme Court justice, a member of the Convention on the Elimination of All Forms of Discrimination (CEDAW) committee in Nigeria, lawyers, and representatives from the National Human Rights Commission—to create a high powered panel of "judges" to draw media attention and hear testimonies by women from many areas of Nigeria. The judges were selected based on their prominence and their concern for women's rights. The tribunal's recommendations was instrumental, at both local and national levels, in subsequent attempts to advocate for new laws and for reforms of existing laws related to violence against women. This tactic may provide each of us with ideas for addressing public perceptions and misunderstandings regarding other disadvantaged or abused populations.

The entire series of Tactical Notebooks is available online at www.newtactics.org. Additional notebooks are already available and others will continue to be added over time. On our web site you will also find other tools, including a searchable database of tactics, a discussion forum for human rights practitioners, and information about our workshops and symposia. To subscribe to the New Tactics newsletter, please send an e-mail to tcornell@cvt.org.

The New Tactics in Human Rights Project is an international initiative led by a diverse group of organizations and practitioners from around the world. The project is coordinated by the Center for Victims of Torture (CVT), and grew out of our experiences as a creator of new tactics and as a treatment center that also advocates for the protection of human rights from a unique position—one of healing and of reclaiming civic leadership.

We hope that you will find these notebooks informational and thought provoking.

Sincerely,

A handwritten signature in cursive script that reads "Kate Kelsch".

Kate Kelsch
New Tactics Project Manager

Introduction

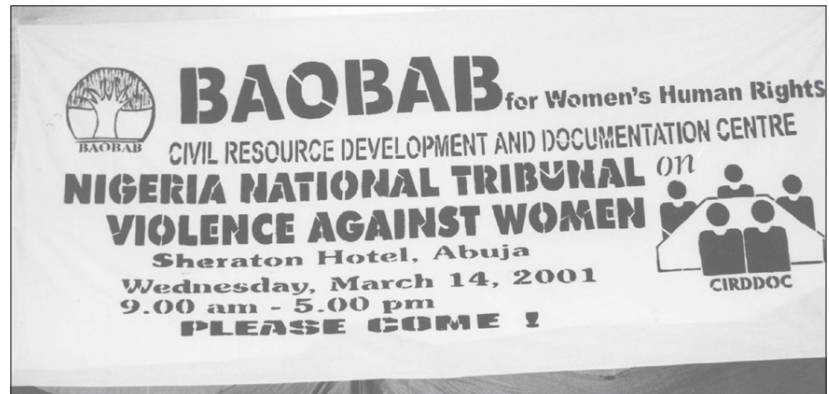
On March 14, 2001 the Nigerian public, media, and government witnessed something that had never happened before. In a “mock tribunal” in Abuja, the federal capital of Nigeria, 33 women and girls told a distinguished panel of judges their individual stories of violent victimization. The event attracted ample media coverage and an audience of from 150 to 500 people over the course of the day. It was the first major organized attempt in the country to break the public silence on violence against women. As each woman finished her testimony—or the testimony of her sisters, for the woman who did not survive—the audience was often in tears. At the end the panel of judges retired to deliberate, and returned with a powerful set of recommendations for significant policy changes to protect Nigerian women from violence and human rights abuse.

This mock tribunal was organized by BAOBAB For Women’s Human Rights and by the Civil Resource Development and Documentation Center (CIRDDOC). The idea developed after seeing the impact of tribunals like those in Vienna and Tokyo, and the worldwide attention they attracted. CIRDDOC had itself, in 1999, organized a mock tribunal in Anambra State in South East Nigeria, addressing human rights violations. This event attracted a strong public turnout, and began further discussions on human rights violations in general and those affecting women in particular. Since 1996, BAOBAB had been running workshops and producing radio programs to draw attention to violence against women, and working with women on ways to recognize violence and build defenses against it.

Prior to this event, violence against women was given no serious attention in the press, in the halls of government, or in law enforcement. We felt that engaging prominent persons in such a high-profile event would facilitate policy changes.

We organized this mock tribunal so that the general public would recognize violence against women and help stop it; so that law enforcement agents would recognize such violence, their own role in perpetuating it, and their responsibility in preventing it; so that the government would agree to play a more significant role in reducing the violence and make resources available to help care for victims; and also so that the government would provide resources to compensate and counsel survivors, helping them integrate back into their lives and communities.

We believe that the tribunal and its associated media workshops influenced the consciousness not only of the Nigerian public, but of bodies such as the National Assembly and the law enforcement agencies (police, army, customs, and the like). At the tribunal itself, legislators vowed to use all power within their reach to fight violence against women, and promised to play



Publicity for the tribunal

a significant role in ensuring that the bill on violence against women was passed into law. The tribunal attracted a great deal of media and public attention, which helped move the problem of violence against women onto the public agenda, opening the way for more effective application of other tactics such as public education and pressure. It also helped empower survivors and give them hope for the future.

The problem: violence, women’s rights, and silence in Nigeria

Our tactic was born from the longstanding trivialization in Nigeria of violence against women. There had been little if any effort, especially from the government, to bring down the level of violence. Such violence was seen as normal and therefore unworthy of serious attention.

In Nigeria very few people believe that women suffer from violence. Most would be unable to recognize its various forms, and the perpetrators themselves see their behavior as normal. Even reported violence is trivialized. A female complainant, for example, is often told to return home, sometimes at the risk of death, because her problem is a “family matter” which should be settled in private.

In a report submitted to the Committee on the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1998, the Nigerian government claimed that, as women had lodged no complaints, no violence against women existed. Because of such attitudes, and because of the underfunding of university research under IMF structural adjustment programmes, there is little systematic

large-scale research on the violence. Many smaller studies across the country indicate that it is widespread and severe, and that domestic violence is found everywhere.

Making violence against women a legal issue, and facilitating a national response in form of law, are important steps in reducing such violence. Nigeria has ratified a number of international instruments, including CEDAW, but has yet to domesticate these instruments and create analogous national laws. It is thus difficult for Nigerian women to benefit from international law, although CEDAW has been positively cited in one or two landmark judgments in customary laws.

The tribunal was thus a response to the need to help the public recognize violence against women and facilitate a consolidated response. It was one important and catalytic event in a long struggle to promote and protect women's rights as human rights in Nigeria.

The timing of the mock tribunal coincided with Nigeria's emergence from several years of military rule, a transition accompanied by hope for more respect of both general human rights and the rights of women. We hoped that members of the new government would be responsive to the people who voted them into power.

The Nigerian federal government is a presidential system, with a National Assembly comprised of Upper and Lower Houses (Senate and Representatives). In each of the thirty-six states there is a governor and state Houses of Assembly. Two of the three women in the Senate, and two of the nine women in the House, attended the tribunal.

Objectives of the tribunal

We had a number of objectives in mind for this ambitious event, including:

- ◆ To expose increasing violence overall, and especially violence against women (VAW).
- ◆ To discuss the misuse and abuse of traditional and cultural practices that are used to justify VAW.
- ◆ To raise awareness of women's rights.
- ◆ To address the voicelessness of VAW victims—especially in rural areas—by inviting them to speak out.
- ◆ To sharpen the consciousness of Nigerian community and government leaders, and to hold them accountable to the obligations they accepted in ratifying CEDAW and in signing the Beijing Platform for Action and other international human rights agreements. We wanted elected legislators to attend the mock tribunal so that they could see for themselves the horrible realities affecting a good percentage of the people who voted for them. Ideally, upon hearing such testimonies, they would recognize their obligation to intervene meaningfully.

- ◆ To empower participants to demand an end to the widespread abuse of women—including wife beating, rape, and other oppressive practices.
- ◆ To promote the provision of legal aid and counseling for all survivors of violence, especially for those who testified.

The mock tribunal was different from previous efforts related to violence against women because it provided true-life testimonies on the violence women experience. It gave a vivid human face to the theoretical, legal, and political arguments against such violence, arguments which formed the background upon which the tribunal was built.

Steps taken to implement the tactic

After CIRDDOC's 1999 tribunal, BAOBAB suggested that the two organizations work together. We were interested in doing a similar project at the national level, one focused on women's human rights. Our first joint planning meeting was on 2 May 2000, almost a year before the event. A crucial early topic was fundraising, and we soon sent out proposals in the names of both organizations. We also started discussing all other details, from location and logistics to the process of finding judges and testifiers.

DETERMINING OUR RESOURCES

The two organizations realized that we needed about \$35,000 for the project, so we sent proposals requesting full or partial funding. Unfortunately, no funds ar-



Participants and audience members



rived before the tribunal. Based on positive signals from some funders, however, BAOBAB decided to risk some of her core money to finance the project. We approached other women's human rights groups, mainstream human rights organizations, and individuals, asking them to co-sponsor or co-organize any aspect of the mock tribunal. The organizations that accepted co-sponsorship provided some money to help support testifiers they identified and brought to the meeting, as did CIRDDOC.

We also had to assess our own organizational and staff capacity to organize such a large event. Our Executive Director and three members of our staff were deeply involved in the planning and logistics from the beginning. All activities were initially carried out concurrently with other BAOBAB projects, but later more than half of BAOBAB's 14-member staff suspended work on other projects for a week until the tribunal was completed. We believed that this commitment of resources and personnel was necessary and worthwhile, and we were convinced that the best way to talk about the issue was to bring out the true-life testimonies.

A smaller organization might be able to organize such an event, but it would be best to secure funding in advance, and staff members would probably be unable to carry on a full schedule of other programs at the same time.

DETERMINING OUR ALLIES

Realizing that the project was a national one, from the beginning we involved the general public, the media, and other people, groups, and organizations. Some worked with us to mobilize potential testifiers, one of our most difficult tasks.

Invitations to the mock tribunal were sent to different government and law enforcement agencies, state ministries, embassies, UN agencies in Nigeria, cultural and religious leaders, schools, donor organizations, other non-governmental organizations, and individuals.

SELECTING THE PANEL OF JUDGES

The mock tribunal "judges" were chosen based on their prominence and their concern for women's human rights. We looked as well for judges who had attended BAOBAB or CIRDDOC trainings and workshops, or were familiar with the work of the two organizations.

Along with formal invitations, we sent the judges information about the tribunal and the two organizations. We followed up with e-mails, phone calls, and

CO-ORGANISERS: National Human Rights Commission (Abuja), African Centre for Democracy and Governance (Abuja), International Human Rights Law Group (Abuja), Women's Aid Collective (Enugu), Project Alert on Violence Against Women (Lagos), Women's Rights and Alternatives Protection Agency (Abuja).

CO-SPONSORS: Civil Liberties Organisation (Lagos), Centre on Women and Adolescent Empowerment, (Yola), Legal Defence and Advocacy Project, (Lagos), Grassroots Health Organization of Nigeria (Kano), International Women's Communication Centre (Ilorin), Federation of Ogoni Women's Association (Port Harcourt).

SUPPORTERS: Ahmed Mohammed (Damaturu), Chidi Odinkalu, (London), Yemisi Ransome-Kuti (Lagos), Amina Muhammed (Kano), Rabi Balewa (The Hague), Intergender (Jos), Alliances for Africa (London), Jazz 38 (Lagos), WEEMA Action (Lagos), Asma'u Joda (London), Shade Bembatoum-Young (Lagos), Centre for Conflict Resolution and Peace Advocacy (Lagos), the media and general public.

personal visits to the invited judges to gain their commitment to participate. Because of delays in conducting the tribunal, not all of the interested judges could attend. Three to four weeks prior to the tribunal, however, several prominent people had confirmed their participation, including the Supreme Court Justice, who also agreed to provide the keynote address. The panel consisted of two men and three women.

Members of the panel of judges

- ◆ Justice Karibi White, Supreme Court Justice and World Court Judge (now retired)
- ◆ Mrs. Maryam Uwais, Special Rapporteur on Children's Rights, National Human Rights Commission
- ◆ Justice Fatima Kwaku, Member of the CEDAW Committee
- ◆ Ambassador Judith Attah, Nigeria's former Ambassador to Ethiopia
- ◆ Barrister A.B Mahmud, former Attorney General in Kano State, and Senior Advocate of Nigeria.

SELECTING TESTIFIERS & PREPARING TESTIMONY

Finding testifiers and convincing them to testify at the mock tribunal was an enormous challenge, one requiring the collaborative efforts not only of BAOBAB and CIRDDOC, but of other networks and groups across the country. It was both a search and a process of counseling and encouragement.

Some women had to be encouraged to testify in the face of religious and cultural beliefs that inhibited them from publicly telling their stories. Some feared further victimization, and did not want their identities disclosed. And most were afraid of being rejected by their communities after testifying. We gave the highest consideration to the safety and security of the

testifiers, offering the use of pseudonyms, veils, and filmed testimony. Three women sent in their testimony and pleaded that it be read to the public on their behalf, and we filmed the testimony of others, hiding their faces and figures.

The 33 testifiers were of varied ages, from across the country, and from different religious, cultural, and class backgrounds. They were asked to arrive in Abuja two days before the tribunal, at which point members of BAOBAB, CIRDDOC, and other supporting organizations helped them prepare. Each testifier was provided with a “supporter,” and each rehearsed her presentation before the day of the tribunal. Prior to the event, many of the individuals and groups working with the testifiers had offered counseling, financial assistance, and legal aid; in Abuja the counseling remained crucial, as some of the testifiers were close to breaking down. Indeed, during the rehearsals, those of us supporting the testifiers and organising the tribunal often struggled for composure as well.

MEDIA WORKSHOPS

Media attraction to this event was based on the testifiers themselves, who provided dramatic stories, and on the respect and credibility provided by the judges.

For the mock tribunal to effectively focus public attention on the issue, it was essential to both attract and prepare the media, and we developed a strategy to achieve this. We held two workshops for journalists, one four days prior to the tribunal, and one the day before. The first was co-facilitated by BAOBAB and CIRDDOC staff. One of BAOBAB’s staff members had been a full-time journalist before joining the organization, while another had researched and taught courses on mass media as a university lecturer, and was a co-founder of the Nigerian Association of Media Women. The second workshop was facilitated by the Africa Centre for Democracy and Governance, a non-governmental organization that served as one of the tribunal’s organizers.

These workshops provided insight into the mock tribunal, and raised interesting and surprising issues for both the journalists and the organizers. The journalists asked questions such as “What is violence?” and “Do you really mean that women suffer different forms of violence?” Afterwards, some of them vowed to continue to write about the issue, working to make the Nigerian public recognize violence against women and think about it differently.

The media workshops addressed issues such as:

- ◆ the role of the media in eliminating violence against women
- ◆ an assessment of media reports on violence against women

- ◆ the objectives, targets, and expected outcome of the mock tribunal

Rather than use only formal lectures, these workshops included brainstorming and discussions, topics of which were raised both by the organizers and the journalists. We chose not to involve actual testifiers in the advance media workshops so as not to pre-empt the tribunal itself.

Instrumental to the strong turnout of journalists at both the workshops and the tribunal was our determination to take their schedules into consideration during our planning. Workshops were not held when journalists’ attention would be needed in the newsroom or when their stories were due. Our invitation letters contained brief descriptions of the discussion topics, and a timetable as well.

The different print and electronic media organizations in Nigeria were broadly represented at the workshops and the mock tribunal, and there was strong coverage on both the national and international levels. The presence of the Supreme Court judge led to wider public awareness of the mock tribunal and the issues it raised.

EXCERPTS FROM NEWSPAPER ARTICLES PRIOR TO THE TRIBUNAL

Headline: Tribunal to hear cases of violence against women

“...The Tribunal is to provide avenue for victims to speak out by discussing and addressing ‘the voicelessness of victims’ as well as providing legal aids and counseling to survivors of violence. Other responsibilities of the tribunal include sharpening the consciousness of Nigerian community and government leaders to their responsibilities and holding them accountable for the commitments made in ratifying CEDAW and signing the Beijing Platform for Action and other international women’s agreements.

“Women from all socio-economic walks of life, religion and ages are expected to testify...”
The Vanguard, Thursday, March 8, 2001

“The tribunal will provide testimony on the multifarious forms and extent of gender violence, which violates women’s rights to life, dignity, security and peace throughout Nigeria.

“By bringing together the testimonies of some survivors, and drawing attention to some of those who tragically did not survive this violence, the tribunal hopes to contribute to violence against women being recognized in Nigeria as the serious National tragedy that it is.”



The actual mock tribunal: 14 March 2001

Several hundred spectators attended the tribunal, in addition to 45 journalists, the panel of judges, the testifiers, their supporters, and BAOBAB and CIRDDOC staff. The event was held in Abuja at the Abuja Sheraton Hotel and Towers, a central venue, easy to reach and big enough to accommodate a very large audience.

We had grouped the different types of women's human rights abuses into three sessions, each of which lasted more than two hours. The lead facilitators for each of the sessions introduced the issues and the testifiers, and there were short breaks between sessions. Audience members, journalists, and judges were not allowed to subject the testifiers to questions. For each form of violence, however, a women's rights activist made a short commentary, drawing out the issues and providing background information. Space was also created for members of the audience to comment after each session.

The sessions were not easy to hear. Women testified to beatings so severe as to necessitate hospitalization; one woman lost an eye. Young girls described being tricked into sexual slavery after being lured with a story of "schooling." We heard the story of a wife murdered by her husband for alleged "disobedience." And a supporter of one of the testifiers spoke of how "The police and soldiers grab... opportunities with both arms to perpetuate rape and assault on defenseless women and girls... they are the first and major victims of arrest and torture, rape, physical battery and permanent maiming, and even death." Every story was a new shock to the audience.

When the sessions were completed, the panel of judges met privately for about 45 minutes to deliberate on what they had heard. Afterwards they read their recommendations aloud to the waiting audience.

Session agenda

Session one - Violence against women in the family/household: domestic violence, early marriage and forced marriage, female genital mutilation, vesicovaginal/rectal fistulae, widow torture, inheritance abuses.

Session two - Violence against women from the general public (both individuals and institutions in civil society): sexual harassment, dress code harassment, rape, sexual assault, assault and battery, acid attack, trafficking.

Session three - Violence against women by state and law enforcement agents: assault, rape, sexual abuse, harassment, and so on; treatment by the police of complaints of violence against women.

Immediate impact

The mock tribunal had a striking impact on everyone present: judges, audience, media, and testifiers. Despite the horrifying content of the testimony, the event gave people hope that change was possible, as shown in the comments of the victims themselves:

- ◆ "Government should look into our laws and bring them in line with modern need."
- ◆ "I would like to be a lawyer in future so as to safeguard the women who would find themselves in similar situations" (the teenaged testifier who escaped from forced and early marriage).
- ◆ "I am going to do as much as I can to make sure that this inhuman practice is stopped in the university system" (one of the testifiers on sexual harassment in the university).

Testimony at the tribunal moved witnesses to look anew at the problem of violence against women, and to demand action. A member of Nigeria's Upper House, Senator Khairat Gwadabe, told the testifiers "Although you are standing here before us, you are standing before the entire nation and the international society by standing on the podium to share your sufferings and the violence you have suffered as women," and added, "The tribunal is long overdue. I wish we could have this virtually every week for the next year. Nigeria would begin to see that the practices being perpetuated behind closed doors are not acceptable to the society." One of the lead facilitators insisted that "It is time for all women in Nigeria to stand up right now, fight tooth and nail to eradicate this menace." And another asserted that "The state should provide a code of conduct for operatives and defaulters should be openly and seriously punished. The crime against women should be seen and treated



Some women chose to hide their identities while testifying. This woman covered herself completely.

in the same way armed robbers and other criminals are treated in Nigeria, in order to increase the credibility of the state, while victims of state violence should be adequately compensated.”

Several legislators vowed publicly to use their positions and influence to fight violence against women, and to ensure that a law against such violence was passed. Indeed, Hon. Dorcas Odujinrin had already started work on such a bill, and was further encouraged by the tribunal, and Hon. Janet Adeyemi later sponsored a bill on female genital mutilation. When the national bill on violence against women—initiated after the tribunal by the Legislative Advocacy Coalition on the Bill on Violence against Women, a coalition comprised of BAOBAB and other Nigerian NGOs—went to the National Assembly, these legislators provided their strong support.

MEDIA RESULTS

The print and electronic news reports produced by the 45 journalists led to wider public awareness of both the mock tribunal itself and the issues it raised. Articles were published with headlines such as “The evil that men do,” “Violence against women is the most wide spread violation of human rights to peace, security and life in Nigeria,” “Group raises alarm over violence against women,” “Victims of horror,” and “Moving tales at tribunal on women violence.” One journalist wrote that “From the testimonies at the tribunal, this relationship could often times turn out worse than the scariest bits of Dante’s hell. Except that in these cases, the victims suffer while alive and have to live with the scar—psychological and physical.”

Follow-up activities

There have been a number of follow-up activities since the tribunal, including some that were helped or facilitated by the tribunal’s success, and others that complement and extend the efforts the tribunal was designed to encourage.

- ◆ Use of tribunal videotapes for further advocacy: These have been used as advocacy tools to mark International Women’s Day and the 16 Days of Activism Against Gender-based Violence. We have also used them in a Gender Sensitization program for judges and the police in Adamawa, a state in northeastern Nigeria. Our main objective there was to expose some of the malpractices and insensitivity of law enforcement agents, particularly the police, and to sensitize them about the need for police and judges to be more gender sensitive and responsive to reported cases of violence against women.
- ◆ Justice research and report: BAOBAB was commissioned by the British Department for International Development (DFID) to write a report on women’s access to justice in Nigeria.

VICTIMS OF HORROR

Women from across Nigeria gathered in Abuja tell the stories of horrors they have suffered, reports SEYI ODUYELA

Wednesday, 14 March 2001 was a day of testimonies in Abuja. That day, stories were told of deliberate infliction of needless hurt, pain, humiliation, maiming and death. The testimonies were not given before a court of law. Nor before a government constituted panel of inquiry. It was before a tribunal, not constituted or sponsored by the state. It had nothing to do with the Justice Chukwudifa Oputa’s Human Rights Violation Investigation Commission. But it matched the Oputa commission for sheer shock value....

...the stories told to the tribunal turned the Oputa commission to a mere wannabe. Virtually all the testimonies drew tears from the audience. It was an emotionally laden occasion...

Tempo, 29 March 2001

- ◆ The Human Rights Violations Investigation Panel Report (the Oputa Panel): BAOBAB was commissioned to carry out the research for this report, focusing on women’s human rights violations in Nigeria from 15 January 1966 to 29 May 1999. The panel itself was directed by the present civilian government, which came to power in May 1999, to ascertain the causes, nature, and extent of all human rights violations in Nigeria.
- ◆ Legislative Advocacy Coalition: BAOBAB is a member of this coalition, which consists of a number of Nigerian NGOs, and has been working with others on the national bill on violence against women. It is hoped that when the bill is passed into law, there will be a very strong legal background upon which women’s human rights can be advocated, promoted, and protected.
- ◆ Coalition on Violence Against Women: This is a coalition of twelve Nigerian NGOs that focus on women’s and human rights, and was begun by BAOBAB. The coalition’s objectives are to harness the resources and strengthen the capacity of member-organizations in addressing issues of violence against women.
- ◆ Leadership trainings: BAOBAB has organized a number of Women’s Leadership training workshops to empower women, including poor urban and rural women. The Women’s Learning Partnership training manual, which BAOBAB helped develop, has been very useful in this regard.
- ◆ Individual cases: BAOBAB continues to handle individual cases, under secular laws, of violence against women, particularly cases of domestic violence, ranging from wife battery to child custody. We have also successfully handled a number of cases of violations of women’s human rights under Sharia (Muslim religious laws), and under customary laws.



Long-term impact of the tribunal

The tribunal provided an opportunity for victims of violence to share their stories, be heard by prominent members of society, and have an impact on public policy.

General public awareness of violence against women, and misconceptions about the activities of women's human rights NGOs, have been reduced, especially among religious and cultural groups.

Since the tribunal we have recorded an increase in the number of journalists who cover events organized by BAOBAB, and who request interviews on issues affecting women and various sections of Nigerian society.

The tribunal has remained a valuable reference point in discussing the extent of the abuse of women's human rights, and, at both the state and national levels, in advocating for bills and policy changes on violence against women. The presence of legislators at the tribunal added to its importance and relevance, and these legislators have become allies in the struggle.

At the National Assembly, the National Bill on Violence against Women was initiated by the Legislative Advocacy Coalition. The state houses of Assembly in Edo and Enugu states have both passed Acts on different aspects of the issues affecting women.

Several invited representatives from law enforcement agencies attended the mock tribunal. Although we cannot yet report a direct result, BAOBAB and other groups are working with these agencies to see that issues of violence against women are addressed effectively. One such collaboration is the Network on Police Reform in Nigeria.

Challenges

It was, as mentioned above, difficult to obtain testifiers. For an event that will address the taboos and silence

surrounding an issue, planners must carefully consider those things that will make it difficult, risky, or frightening to come forward. We were asking testifiers to take a courageous and extraordinary step, with unknown consequences.

The distance between the two main organizations was also a challenge. CIRDDOC is based in Enugu, in eastern Nigeria, an eight-hour drive from BAOBAB's office in the former Nigerian capital of Lagos. We were able to meet only once, so discussions had to be conducted via email and phone calls. Given the terrible state of Nigerian's communication infrastructure, this was often frustrating and subject to many delays.

Other than these, our biggest challenge was fundraising. The event required a substantial financial risk on our part. The fact that we were able to raise the required funds retroactively is evidence that we made the right choice, but more and earlier support would have allowed us to follow-up immediately on such tasks as compensating testifiers, and would have been less stressful as well.

Use of the tactic

The word "tribunal" implies that you are dealing with a problem that is illegal and widespread, requiring a high-level public investigation. "Mock," on the other hand, implies that there is insufficient public or governmental support to enable the use of formal legal tribunals. What a mock tribunal brings together is the testimony of witnesses, to shock the public into recognizing the severity of the problem, and prominent leaders and members of the media, who can assure broad public impact and build public support for future action.

This tactic is applicable to many situations. In societies that discriminate against a specific population the environment commonly prevents any questioning of that discrimination. Victims are taught to feel responsible for their own victimization, while others are taught to ignore it. Children, for instance, may be taught to ignore disabled people, or that slavery is "normal." People with HIV/AIDS are routinely blamed for their condition. Or an ethnic group is denied education for centuries, while the dominant public message develops that they are less intelligent and don't deserve schooling.

Such taboos and silence around endemic human rights violations are widespread. Whenever they occur, the public system will tend to ignore its obligation to enforce human rights law; the media, usually dominated by elites, will promote the same silence; and activists will find themselves in need of creative tactics to break into the public consciousness and demand government action. The mock tribunal could, for example, be used to address HIV/AIDS issues. Those afflicted could testify on the ways HIV/AIDS is experienced, and the need



Women at the tribunal

for strategies to reduce the spread, to create public awareness, and to move public opinion towards changes.

Before using this tactic, you should consider the following points:

- ◆ Is the potential for the tactic's success worth such a significant investment of time and resources?
- ◆ Will it attract a lot of attention?
- ◆ Will the media attend?
- ◆ Will a successful event prepare the groundwork for effective future campaigns?

We hope that our reflections on each of the following aspects of the tactic will help you conduct this analysis for your own case.

VICTIMS WILLING TO TESTIFY

Finding people willing to testify requires sufficient prior education and consciousness-raising, so that the victims/survivors understand that they have been abused, that they are victims, and that a crime has been committed to which the state has an obligation to respond. They must, then, have sufficiently overcome the dominant cultural taboos and feel empowered to testify.

Everyone involved must also consider the security consequences of testifying. In some situations, potential testifiers may have fears that you can resolve, as with the use of pseudonyms or disguises. In others, however, the security risks may be excessive, and public testimony not a wise course of action. Retaliation against testifiers, beyond its impact on the victims, could undo much of the good work of empowerment you have done, with others feeling even greater fear about speaking out.

If you do believe that you can provide sufficient security guarantees, then you can responsibly encourage and empower people to testify. Such encouragement will, indeed, be essential, even if there is not a great security risk, because it is inherent in the dynamic of repression that people will fear speaking out even if security risks are objectively low.

ORGANIZATIONAL CAPACITY

A mock tribunal is a complicated endeavor, requiring significant organizational skills and good follow-through. You need to be sure that you have the resources and expertise to carry out each piece—the diplomacy of finding the judges, the savvy of attracting the media, the sensitivity to encourage the testifiers. Since the goal is a fairly large event, even the logistics will require significant commitment if they are to be done well.



This woman chose to cover her eyes while testifying

RECRUITING THE PANEL OF JUDGES

Does your organization have enough contact with high-level, nationally respected personages to pull together a good panel of judges? You will want people who are well known, since their fame will attract the media. They also need to be respected and credible, so that their deliberations and concluding recommendations will be a catalyst for future action. You need to carefully strategize this selection, since you do not want panelists who will be vulnerable to attack in the press. Nor do you want a panel that can be easily accused of being partisan or one-sided.

Thinking about the importance of the panel's final recommendations, you also want to choose people who un-

derstand your issue well enough that their help will move you closer to your long-term goal. This process thus pre-supposes a significant level of prior credible activism and contact-building by the sponsoring organizations. Unless you have good intermediary connections, it may be difficult to recruit high-level people who are complete strangers to you. You will have to lead them to believe in your organization enough to want to put their names behind it. Your success at this stage will depend on the credibility of your organization or allies in the eyes of the high-level people you want as judges.

WORKING WITH THE MEDIA

Your goal is to break the public silence on an issue, so support from the media will be crucial. How can you obtain media coverage? As with the judges, most organizations with a history of credible work on an issue will already have made some good contacts in the media, and these may be your starting place. It might also be helpful if your organization has been actively identifying potentially promising media contacts—based on your analysis of the point of view in their writing—even if you have not yet made contact.

You must be sensitive to the fact that journalists are victims of the same propaganda and societal training as others, so if your issue is hidden by public silence, you cannot assume that they will understand it well. It is essential, therefore, to make an effort not only to attract the media, but also to brief or prime them so that they will be as sympathetic as possible to both the issues and the testifiers.

We found it very helpful to invite journalists to the advance workshop organized solely for them, introducing issues to be raised by the tribunal, and preparing them to take advantage of the event. Events



organized for the media must carefully take into account the schedules and competing demands that journalists face.



This young woman chose to speak without disguising her identity

FUNDING

This is an essential aspect of the project. You will need to develop a comprehensive proposal with a realistic budget. Efforts to secure funding must be underway well in advance of the planned event.

COLLECTIVE EFFORT

We recommend that you make an effort to involve other organizations in your mock tribunal. It is intended to be a noted national event, and is more likely to achieve that end if it is perceived to have a broad base of support. Also, you will be building important bridges of collaboration with other groups if you invite them to be part of such a significant event. Some groups will also be able to help with both financial and human resources. BAOBAB and CIRDDOC, for example, widely distributed information requesting co-sponsors, co-organizers, and supporters, and people were asked to come to the tribunal with posters and

other materials that might be useful and relevant. A collaborative effort like this yields more fruit and opens the way for additional partnerships in the future.

Conclusion

It is not difficult to imagine mock tribunals addressing a wide variety of topics, such as HIV/AIDS, child soldiers, discrimination against those with mental illness or other disabled populations, women and poverty, gender discrimination, male child preference, and many more. This tactic uses the model of an existing governmental mechanism that is widely respected in many societies: a court or tribunal with testimony and judges. By recreating this model on an informal level, the tactic simultaneously publicizes the testimony and calls attention to existing gaps in government action. The need for a “mock” tribunal automatically raises the question, “Why isn’t the state having its own tribunal?” Because the event is large and involves prominent leaders, the media are automatically tempted to pay attention despite general silence around the issue. This tactic might thus succeed in breaking through prior resistance from both the government and the media on a particular issue.

It is, however, a single event, and its success depends on how well it is parlayed into ongoing campaigns. If a tribunal successfully places an issue on the public agenda, a great deal of work will be needed to keep it there. A tribunal can best facilitate future advocacy and media activism if it is part of a concerted long-term strategy.

If such a strategy is in place, and an organization has developed the capacity and credibility for ongoing advocacy and education, a mock tribunal may be an extremely useful jolt to the system, opening the door for far more effective activism.

NOTES



To print or download this and other publications in the Tactical Notebook Series,
go to www.newtactics.org.

Online you will also find a searchable database of tactics and
forums for discussion with other human rights practitioners.



The Center for Victims of Torture
New Tactics in Human Rights Project
717 East River Road
Minneapolis, MN 55455
www.cvt.org / cvt@cvt.org
www.newtactics.org / newtactics@cvt.org

