

2. Russell Tribunals

Ken Coates

The Russell Tribunal on Palestine was publicly launched at an international press conference in Brussels on 5 March 2009. Ken Coates, Chairman of the Bertrand Russell Peace Foundation, was asked to speak about previous Russell Tribunals. Video of the press conference is available online (www.russelltribunalonpalestine.com).

The Russell Tribunal on War Crimes in Vietnam was constituted on November 13th 1966 at a meeting in London. Russell was joined there by Jean-Paul Sartre, Vladimir Dedijer, Isaac Deutscher, and Lelio Basso, the distinguished Italian jurist, with a score of other notable men and women. At this meeting Russell said:

‘The Tribunal has no clear historical precedent. The Nuremberg Tribunal, although concerned with designated war crimes, was possible because the victorious allied powers compelled the vanquished to present their leaders for trial. Inevitably the Nuremberg trials, supported as they were by State power, contained a strong element of *realpolitik* ... our own task is more difficult ... we do not represent any State power, nor can we compel the policy makers responsible for crimes against the people of Vietnam to stand accused before us. We lack *force majeure*. The procedures of a trial are impossible to implement.

I believe that these apparent limitations are, in fact, virtues. We are free to conduct a solemn and historic investigation, uncompelled by reasons of State or other such obligations.’

It was difficult for the Tribunal to commence its work. Jean-Paul Sartre had wanted it to sit in Paris, and had asked President de Gaulle to agree to such a meeting. The request was denied. At first it seemed that the Tribunal would have nowhere to convene, but then the Swedish authorities gave their consent to an opening session in Stockholm. This was followed by another session in Copenhagen. The findings of the Tribunal were published right across the world, and made a notable

contribution to the development of public opposition to the war. It became impossible to ignore the atrocities which marked that conflict, and it can be said that the Tribunal made an important contribution to allowing the plight of the Vietnamese people to be, in Russell's words, 'presented to the conscience of mankind'.

Subsequently, a second Tribunal was constituted to examine repressions in Latin America. This was initiated by Lelio Basso, and Edith Russell extended the initial invitations to those who agreed to serve in the investigations. After three sessions, a Permanent People's Tribunal was established, and this continued its work in response to popular requests from many countries. Russell had died in 1970, so that all this work had to be carried through without him.

But now there were many others who sought to emulate the Vietnam enquiries, some of them in concert with participants in the original tribunals, and some of them spontaneously. Those of us who had been involved in the first phases of the Russell Tribunal could not of course direct the spontaneous initiatives which grew up in different countries of the world. Some of them concerned matters of which we strongly approved, and some of them we found slightly strange, such as the enquiry announced in Yugoslavia into the regulation of international football tournaments.

But the intensification of conflict around the world, and particularly in the Middle East, gave rise to acute international disquiet. In February 2003, all this culminated in demonstrations in which millions of people opposed the planned invasion of Iraq. This overrode the opposition, unleashing 'shock and awe' against Iraqi cities and killing an estimated million people. Out of this came a World Tribunal on Iraq, with our explicit blessing, and a truly global range of participants. The final session of this Tribunal met in Istanbul at the end of June 2005. It, too, could not reach judgments that were binding in international law. But, in the words of Arundhati Roy:

'Our ambitions far surpassed that. The World Tribunal on Iraq places its faith in the consciences of millions of people across the world who do not wish to stand by while the people of Iraq are being slaughtered, subjugated and humiliated.'

A key participant in this enquiry was Professor Richard Falk, who has subsequently been appointed as the United Nations Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied since 1967. Professor Falk set out to visit Gaza and the West Bank in

connection with his new duties, when, last December 14th, he was arrested and detained at Ben-Gurion airport by the Israeli authorities, following which he was summarily deported.

At the time, we were actively involved in the preparation of a new Tribunal on Palestine, being convened on the initiative of Pierre Galand and his colleagues. I wrote to Professor Falk about this, seeking his advice. Of course, he could not commit the UN to our support, but he did say:

‘Given the manner in which the UN operates, I will have to keep my Special Rapporteur role separate from the great work you have presided over for so long at the Russell Peace Foundation. This whole direction of civil society vigilance with respect to state crimes that are exempted from accountability due to power politics has had a great influence on my work for many years.

In the present situation, there is an unprecedented willingness of the UN System to acknowledge the importance of investigating whether war crimes have been committed in Gaza, and even the Secretary General has indicated that if the evidence supports the allegations, as it surely does, then accountability should follow. At the same time I anticipate that political forces will sustain the impunity of Israeli leaders, and that no mechanism of accountability will be established.

In the light of this institutional vacuum, the role of civil society is crucial in establishing the grounds for the imposition of accountability in symbolic form. Such a proceeding, if well arranged, will also give additional support to the many initiatives now under way around the world involving boycotts, divestment, and the like, moves that were so effective in the anti-apartheid campaign. So I would encourage you to move ahead with your plans, perhaps placing emphasis on the plight of Gaza. Certainly any documentary record that emerges will be useful to me in preparing reports for the UN.’