



Amici della Fondazione Basso



FONDAZIONE
LELIO E LISLI BASSO

“Truth and Justice in the Fight for Rights in Latin America”

Final Report on the Project for the Archival Preservation and Digitization of the Documentation from the Permanent Peoples’ Tribunal Fund

by
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1. The project

Truth and Justice in the Fight for Rights in Latin America was initiated by Associazione Amici della Fondazione Lelio e Lisli Basso, which has long been dedicated to protecting, promoting and disseminating the cultural, archival and documentary heritage of Fondazione Basso. Funded through the *Otto per Mille* programme of the *Tavola Valdese*, the project aimed to preserve a significant portion of the documentation produced by the Permanent Peoples' Tribunal (PPT), increase its accessibility, and encourage its use for research, educational, and awareness purposes.

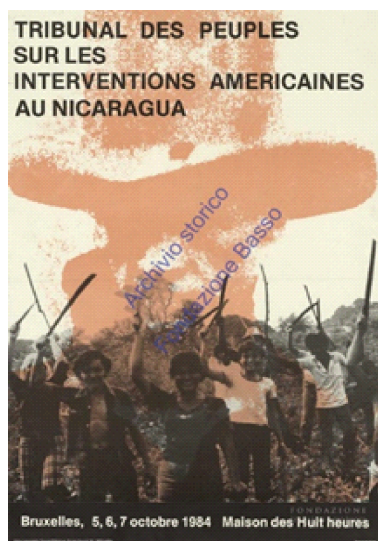
Established in 1979 from the experiences of the Russell Tribunals on Vietnam (1966–1967) and on the Dictatorships in Latin America (1974–1975), the PPT remains a unique institution in the international landscape of peoples' rights and opinion-based justice. Throughout its history, the Tribunal has examined numerous cases involving violations of human rights, collective rights and the self-determination of peoples. Over time, it has amassed a significant body of historical, political and legal documentation. A significant portion of this archive relates to Latin America, a region in which the PPT has raised awareness of complaints concerning dictatorships, political and economic repression, impunity, violations of peoples' rights and various forms of social injustice, the effects of which continue to impact large sections of Latin American society and its minorities to this day.

The project involved the arrangement, description and digitisation of four sessions of the Tribunal held throughout the 1980s and early 1990s: *Guatemala* (1983), *Nicaragua* (1984), *Puerto Rico* (1989) and *The Conquest of America and International Law* (1992). As the funding obtained was earmarked for the organisation, cataloguing and digitisation of archival materials, activities aimed at in-depth analysis and promotion could only be carried out to a limited extent. In this context, three interviews were conducted with witnesses and experts to enrich the documentary collection with historical, legal and testimonial perspectives. This provided useful tools for understanding the role played by the Permanent Peoples' Tribunal, as well as the contemporary relevance of the issues addressed in the sessions covered by this project.

This project builds on previous initiatives carried out with the support of Chiesa Valdese, including *I manifesti: immagini che raccontano la storia* (2016), *La memoria del diritto dei popoli: un patrimonio audiovisivo da conservare e valorizzare* (2020) e *Il Brasile ieri e oggi: diritti e memoria tra due secoli* (2022). It also represents an evolution of the process initiated in 2013 through the agreement between Fondazione Lelio e Lisli Basso and the Brazilian Ministry of Justice to digitise the Russell II Tribunal Fund and related documentation from the following PPT sessions: *Salvador* (1981), the *Brazilian Amazon* (1990) and *The Impunity for Crimes Against Humanity in Latin America* (1991).

By arranging, describing and digitizing the sessions dedicated to Guatemala, Nicaragua, Puerto Rico and the Conquest of America, the project has made a significant documentary heritage accessible, which is of particular importance for the evolution of international solidarity in defending human rights and the rights of peoples. Preserving and disseminating these sources helps preserve a collective memory that is essential for understanding the challenges that still affect democracy, by keeping alive the dialogue with the experiences, testimonies and calls for justice that have run through the history of many peoples around the world.

2. The Permanent Peoples' Tribunal Fund



The Permanent Peoples' Tribunal Fund forms a substantial part of the documentary heritage of Fondazione Lelio e Lisli Basso ETS and was declared of significant cultural interest by the Archival Superintendency for Lazio on 30 October 2007.

The Fund was gradually built up through the documentation produced and acquired during the Tribunal's numerous sessions. It serves as a documentary record of more than four decades of the Tribunal's commitment to defending the rights of peoples and denouncing violations of those rights in numerous regions of the world. The Fund also documents the methods of intervention and guiding principles that have characterised the Tribunal's activities, bearing witness to the role played by social movements, civil society organisations, local communities, experts and international solidarity networks in developing the cases examined by the PPT.

From a material standpoint, the Fund is divided into two main sections. The first section contains documentation relating to the organisation and operation of the Tribunal, which is arranged chronologically by session. This includes correspondence, materials relating to the organisation of the sessions, invitations sent to participants and details of the composition of the Panels of Judges who took part in the Tribunal's proceedings. The second section contains materials produced during the sessions and proceedings that led to the drafting of the Judgements. For each session, these materials are organised into files and subsections documenting the various stages of the investigative and trial proceedings, including requests, indictments and documentation submitted or collected in preparation for the hearings. Where available, there are also press clippings reflecting the public reception of the Tribunal's activities¹.

The Fund reflects the evolution of record-keeping practices and communication technologies that have accompanied the Tribunal's activities over the decades. Until the mid-2000s, records were primarily produced and preserved in paper format and collected and organised into physical files, which still form the core of the PPT's archival holdings today. As digital tools became more widespread, the methods of producing, transmitting and preserving sources gradually transformed. From the 2000s onwards, the Fund gradually became enriched with digital documentation, eventually taking on its current form in which digital materials represent the predominant component of the documentation produced by the Tribunal.

Currently, the Fund is only partially accessible as it is in the process of being gradually reorganised, catalogued and digitised. This process has focused particularly on records produced during the first fifteen years of the Tribunal's operations². As this is a living archive closely

¹ For more information on the archival history of the Fund and the arrangement criteria, see: <https://www.lazio900.it/oggetti/513-tribunale-permanente-dei-popoli/>.

² The preservation and inventory process covered documentation relating to the Permanent Peoples' Tribunal sessions devoted to: *Argentina* (Geneva, 3–4 May 1980); *El Salvador* (Mexico City, 9–12 February 1981); *Brazilian Amazon* (Paris, 12–16 October 1990); *The Impunity for Crimes Against Humanity in Latin America* (Bogotá, 22–25 April 1991); *Industrial Hazards and Human Rights – Session I* (Bhopal, 19–23 October 1992); *Industrial Hazards and Human Rights – Session II* (London, 28 November–2 December 1994); *Chernobyl: Environment, Health and Human Rights* (Vienna, 12–15 April 1996) and *The Violation of Fundamental Rights of Children and Adolescents in Brazil* (São Paulo, 17–19 March 1999). The digitisation effort covered the sessions addressed in this project, as well as additional documentation related to sessions on *El Salvador*, *the Brazilian Amazon*, *The impunity for crimes against humanity in Latin America*, and *The violation of the fundamental rights of children and adolescents in Brazil*. This has helped to expand the body of documentation that is accessible and available for consultation in digital format. See: <https://www.lazio900.it/oggetti/513-tribunale-permanente-dei-popoli/>.

connected to ongoing activities, the organisation and availability of materials necessarily follows differentiated criteria. This depends on the planning of preservation, description and digitisation interventions, which are carried out progressively based on available resources. In addition, there is a need to protect documents containing sensitive information, as well as witnesses and individuals involved in contexts of particular vulnerability or risk.

Alongside the preservation efforts, the gradual digitisation of the documentation has significantly expanded the opportunities for consulting and disseminating the PPT's collection. In recent years, particular attention has been devoted to producing audiovisual materials and developing the Tribunal's website. The website provides new content, search tools, Judgments and key documentation related to the most recent sessions held³. These tools have made the Tribunal's documentary archives more accessible to researchers, scholars, human rights defenders, civil society organisations and institutions interested in the Tribunal's work and the issues it addresses.

3. The sessions and the documentation



The sessions covered by the project vary greatly in terms of context, issues addressed and types of cases examined. As mentioned in section 1, the selection of these sessions is not intended to present a unified thematic narrative. Instead, the aim is to complete the archival preservation and digitisation of documentation relating to a specific geographical area and a particular phase of the Permanent Peoples' Tribunal's activities. However, this does not preclude the presence of a common thread represented by the Tribunal's involvement in Latin American affairs. Indeed, the sessions enable us to observe the consolidation of the Tribunal's intervention in a region marked by armed conflicts, revolutionary processes, persistent human rights violations and demands for self-determination at political, economic and cultural levels from different perspectives. Therefore, the sessions must be interpreted in light of the PPT's role as a forum for hearing peoples' calls for justice, verifying respect for the right to self-determination, and supporting processes aimed at overcoming various forms of political,

economic, and social repression.

The cases of Guatemala and Nicaragua occurred during a significant phase of Latin American history in the 1980s that affected Central America. While several Southern Cone countries were gradually entering a phase of crisis and transition towards civilian government, Central America became the main theatre of armed conflict, counterinsurgency strategies and international intervention. In Guatemala and Nicaragua, as well as neighbouring El Salvador, demands for truth, justice and self-determination from affected populations helped shape a significant part of the Permanent Peoples' Tribunal's work, gradually defining its scope of action in the region.

On the other hand, the session dedicated to Puerto Rico is part of a different tradition of political and legal mobilisation. This tradition is linked to the issue of the island's status and its claims to the right of self-determination in relation to the United States. Here, the Tribunal focuses on the persistence of a colonial condition and its political, economic and cultural implications.

For the inventory of the PPT Fund, see:

https://www.fondazionebasso.it/2015/wp-content/uploads/2014/10/2026_TPP_Inventario.pdf

³ See: <https://permanentpeopletribunal.org/?lang=en>

By contrast, the session The Conquest of America and International Law takes a different methodological approach, historical context and subject matter. It broadens the discussion to a longer-term historical and theoretical perspective, examining the roots of conquest and colonialism, as well as their legacies in contemporary international law.

From an archival perspective, the materials subject to processing preservation and digitisation include the Tribunal's internal and external correspondence, as well as the documentation gathered for public hearings and decisions made by the Tribunal's Judges. As mentioned in the previous section, this documentation is diverse in origin, nature and purpose, produced and acquired as part of investigative activities aimed at ascertaining the facts and evaluating the charges brought before the PPT during public sessions.

These materials can be grouped into several main categories. The first category consists of documentation produced by the organisations and actors involved in the proceedings, including reports, analyses, briefs, written testimonies, press releases and informational materials. This is supplemented by documentation from international bodies, public institutions, research organisations and non-governmental organisations, which contextualise the cases under review and corroborate the evidence. The core body of documentation is rounded out by the Judgements issued by the Tribunal at the conclusion of the sessions, which reflect the Judges' assessments based on the documentation gathered and the testimony heard during the hearings.

The nature of the documentation preserved for the session The Conquest of America and International Law differs. In this case, the digitised material primarily consists of reports and papers prepared by the scholars, jurists and experts who were invited to contribute to the session's preparatory work and activities. Unlike the other sessions, these documents were not collected as part of an investigative proceeding aimed at establishing specific violations; rather, they are texts of a historical, legal and theoretical nature produced to inform discussion and in-depth analysis. The fund relating to this session therefore takes the form of a compilation of academic studies and specialised contributions, providing a different documentary perspective to that of the sessions dedicated to Guatemala, Nicaragua and Puerto Rico.

Guatemala (Madrid, 27–31 January 1983)

The tenth session of the Permanent Peoples' Tribunal dedicated to Guatemala took place in Madrid from 27 to 31 January 1983, approximately one year after General Efraín Ríos Montt seized power in a coup d'état on 23 March 1982. At that time, Guatemala was experiencing one of the most dramatic phases of its internal armed conflict, characterised by intensified counterinsurgency operations and widespread violence against large segments of the civilian population.

However, the roots of the conflict lay in a longer history. Since the overthrow of Jacobo Árbenz's government in 1954, the country had experienced a prolonged period of political instability, social exclusion and increasing militarisation. This period was characterised by the repression of peasant, labour, student and religious movements that demanded democratic reforms and social change. Throughout the 1980s, the conflict between government forces and guerrilla movements reached unprecedented levels of violence, involving not only armed opposition groups, but also rural communities and indigenous populations who were considered to be close to, or sympathetic with, the guerrillas.

The PPT's work centred on analysing the consequences of the coup and the subsequent intensification of repression. Particular attention was given to the suspension of constitutional guarantees, the concentration of power in the hands of the military junta and the prolonged state of siege. During the preliminary proceedings, the Tribunal gathered extensive documentation to verify the alleged violations and reconstruct the gradual deterioration of the political situation and human rights in the country. The Tribunal drew upon documentation produced by the United Nations and the Organization of American States between 1981 and 1982, as well as numerous reports from

organisations such as Amnesty International, Pax Christi, the International Commission of Jurists, Oxfam, Survival International USA and America Watch. The Tribunal also obtained the 6 December 1982 report of the Guatemalan Human Rights Commission, as well as the request presented by Guatemalan women's organisations titled *Las mujeres denunciamos ante el Tribunal Permanente de los Pueblos la violación constante y sistemática de los derechos humanos en Guatemala*. This helped to shed light on the specific gender dimension of the violations.

The collected documentation was supplemented by studies and reports prepared by experts who were invited to speak during the session. The aim was to analyse the structural causes of violence and their historical legacy. In line with the Tribunal's approach, these contributions investigated the economic, social, cultural and political roots of the repressive episodes, rather than merely describing them. Notable documents in the collection include former Guatemalan Minister of Foreign Affairs Guillermo Torriello's *Análisis histórico de Guatemala*; Rafael Piedrasanta's *Análisis de la estructura económica*; anthropologist Ricardo Falla's *Análisis sobre la cuestión indígena*; and *Cultura Popular, cultura indígenas. Genocidio y etnocidio en Guatemala* by Arturo Arias, a representative of the Alaíde Foppa Association of Cultural Workers in Costa Rica. These are complemented by contributions focusing on the international dimension of the conflict, such as *Penetración e intervención USA en Guatemala* by Jenny Pearce of the Latin American Bureau, and *Informe jurídico internacional sobre la situación de la República de Guatemala*, by Fernando Mariño, a professor of public international law at the Autonomous University of Madrid. Of particular significance is Julia Esquivel's document *La persecución a los cristianos e Iglesia en Guatemala*, a representative of the Pro Justicia y Paz Committee of Guatemala, based in Mexico.

Taken together, the reports and testimonies collected revealed the scale of the counterinsurgency operations and the systematic use of forced disappearances and extrajudicial killings, as well as the violence perpetrated against indigenous and rural communities. Thus, the documentation preserved in the Fund bears witness not only to the Tribunal's investigative work, but also to the process through which it recognised the systematic nature of the repression, identifying elements attributable to acts of genocide and ethnocide in the military campaigns waged against large segments of the indigenous population.

Nicaragua (Brussels, 5–8 October 1984)

In 1984, the Permanent Peoples' Tribunal dedicated its twelfth session to Nicaragua. This took place in Brussels from 5 to 8 October and was preceded in August of that year by a fact-finding mission led by Victoria Abellán, Gianni Tognoni and Leo Matarasso. This mission was tasked with gathering the necessary evidence for the preliminary investigation in preparation for the session. The session was called upon to assess the validity of the allegations of aggression levelled against the United States by numerous Nicaraguan organisations and social groups, in light of international law.

The session took place in the aftermath of the 1979 Nicaraguan Revolution, which led to the overthrow of Anastasio Somoza Debayle's regime and the establishment of the Sandinista National Liberation Front (FSLN) government. Following the inauguration of the Ronald Reagan administration, Nicaragua became one of the main stages of geopolitical competition in Central America, during a period characterised by intensifying regional tensions and US support for armed counter-revolutionary groups (*Contras*). Against this backdrop, complaints were filed by Nicaraguan organisations and social movements concerning not only the financing, training and logistical support provided to rebel forces, but also a broader strategy of political, economic and military destabilisation of the country. The Tribunal therefore sought to assess whether such conduct was compatible with fundamental principles of international law, particularly the prohibition of the use of force, the principle of non-intervention and the right of peoples to self-determination. The session also coincided with the case brought by Nicaragua against the

United States before the International Court of Justice, which placed particular emphasis on issues related to the use of force and the international responsibility of states.

Much of the documentation preserved in the archives attests to the attention paid to the various forms of US intervention in Nicaragua. This includes direct and indirect military action, as well as financial, logistical and operational support for armed counter-revolutionary groups (*Contras*), who were active along the country's borders and largely operated from bases in Honduras. There was also a focus on broader strategies of pressure and economic destabilisation. This material was instrumental in the preliminary phase of the session and constituted a significant proportion of the documentation submitted to the Tribunal for review.

One of the most significant documents is the report by the Institute for the Study of Militarism and Economic Crisis titled *Reagan's Central American Policy: A New Somoza for Nicaragua*, presented by the Institute's director, Marlene Dixon. This report sets out and argues the main accusations levelled against the United States. Another important document is the report of the Instituto Nicaragüense de Investigaciones Económicas y Sociales, *Le boycott économique et les effets économiques de l'agression des États-Unis au Nicaragua*. This document reconstructs the country's economic situation at the time of the triumph of the Nicaraguan revolution and the stabilisation programmes promoted by the new government. It also analyses the economic policies adopted by the United States and international financial institutions, which are believed to have been aimed at destabilising Nicaragua and worsening its economic conditions, along with examining the consequences of armed attacks on the country's infrastructure, as well as its agricultural and industrial sectors.

Two anonymous reports, *La agresión económica: una política de terrorismo de Estado* and *The Impact of Aggression*, fall within the same framework; both analyse the economic and social effects of policies and actions attributed to the United States towards Nicaragua. The document titled *La ofensiva ideológica, base de la agresión militar de Estados Unidos a Nicaragua*, on the other hand, contextualises U.S. policy towards Nicaragua, focusing particularly on the public statements of President Reagan and members of his administration. Through an analysis of official speeches and articles published in the US press, including The New York Times, the report highlights how Nicaragua was frequently portrayed as a coordination centre for communist guerrilla movements in Central America — a narrative that aimed to legitimise US interventions and consolidate public support for policies opposing the Sandinista revolutionary process.

Another factor taken into consideration was the United States' failure to support regional diplomatic initiatives, particularly those promoted by the Contadora Group and aimed at resolving the conflict through negotiation. Karin Jourdan's report, *Le Groupe Contadora*, documents Nicaragua's support for this initiative and analyses the attempts attributed to the US government to obstruct or undermine its outcomes.

Together, these documents enable the main arguments and evidence presented to the Tribunal to be reconstructed and provide significant insight into how organisations, research institutes and civil society actors contributed to documenting the allegations discussed during the session. Those that contributed to gathering documentation included CETRI (Centre Tricontinental), CEAL (Comité Belge-Europe-Amérique Latine), the Central American Historical Institute, the Council on Hemispheric Affairs, the Brussels-based Centre pour la Recherche Interdisciplinaire sur le Développement, ACRA, the Italy-Nicaragua Association, and the Associazione Internazionale contro la Tortura e il MLAL (Movimento Laico per l'America Latina).

Puerto Rico (Barcelona, 27–29 January 1989)

At the request of the Puerto Rican section of the International League for the Rights and Liberation of Peoples, the Permanent Peoples' Tribunal devoted its fourteenth session to the case of Puerto Rico, held in Barcelona from 27 to 29 January 1989. The session took place within the international context and in light of the positions expressed by the United Nations Special Committee on Decolonisation.

The focus of the proceedings was to analyse the colonial nature of the relationship between Puerto Rico and the United States, paying particular attention to the contradiction between the island's political status and the principles of international law regarding the self-determination of peoples. The session's documentation addressed the United States' role in the international context with reference to the decolonisation processes promoted by the United Nations. It also analysed domestic policies considered instrumental in maintaining political, economic and social control over the territory.

The documentary record of the session includes testimonies, reports and briefs submitted by legal, political and social organisations, including representatives of the Center for Constitutional Rights, the National Lawyers Guild, the Colegio de Abogados de Puerto Rico, Partido Nacionalista de Puerto Rico and civil society organisations active in the territory. Particular reference is made to the situation on the island of Vieques.

The initial set of documents focuses on the historical and legal reconstruction of Puerto Rico's political status and the issue of decolonisation. This section includes materials dedicated to the relationship between Puerto Rico and the United Nations, such as Carmen Mayoral Gautier's contribution *Treinta y cinco años del caso de Puerto Rico en la ONU*, which traces the presence of the Puerto Rican issue in the international debate on decolonisation. Another paper, by Michael Deutsch and Juan Sutil, entitled *The Creation of the Free Associated State of Puerto Rico. A Charade of Decolonisation* critically analyses the process that led to the establishment of the Free Associated State status, viewing it as an incomplete form of decolonisation. The *Brief Submitted on behalf of the International Association of Democratic Lawyers* also addresses the issue of self-determination, exploring it as a principle of international law, and denouncing the denial of this right alongside the criminalisation of pro-independence movements and political opposition.

Another set of documents addresses the economic dimension and forms of structural dependence on the US system. Francisco Catalá Oliveras's text, *El control económico de Puerto Rico por los Estados Unidos de Norte América*, analyses the mechanisms through which US economic control over the island has been consolidated, highlighting the relationship between political subordination and economic dependence. Also related to this topic is Neftalí García Martínez's contribution, *Puerto Rico: los recursos naturales, el ambiente y la salud bajo el colonialismo*, which examines the impact of colonialism on the management of natural resources, environmental issues, and public health.

A second set of materials focuses on political repression, the criminalization of independence movements, and the plight of political prisoners. The testimonies of Davide Noriega Rodríguez, spokesperson for the Partido Independentista Puertorriqueño and Rita Zengotita document the persecution of independence activists and the gradual development of legislative tools and control mechanisms directed against political and social organizations. This context includes the report *A Report to the United Human Rights Commissions – Counterinsurgency Against the Puerto Rican Political Prisoners and Prisoners of War*, which focuses on the situation of political prisoners and the repressive practices directed against them. The report by the Comité Unitario contra la Represión y por la Defensa de los Presos Políticos en Puerto Rico, *La violación de los Derechos Humanos y la Criminalización de los Combatientes Anti-coloniales por el régimen Norteamericano en Puerto Rico* takes a similar approach, documenting human rights violations and forms of criminalization targeting anti-colonial militants.

Another central theme of the session is the militarisation of the territory and Puerto Rico's strategic role in US policy towards the Caribbean and Latin America. Wilhelm Joseph of the National Conference of Black Lawyers analyses the island's historical role as a site for US military installations and as a strategic hub for US regional interventions. Presentations by Raúl Serrano Geys and Jorge Rodríguez Beruff, author of the paper *Puerto Rico y la militarización del Caribe*, which examines the relationship between militarisation, US legislation, and political control of the territory, also focus on the issue of the military presence and its implications.

Overall, the proceedings of the session provide a comprehensive overview of the Puerto Rican issue, highlighting the themes of failed decolonisation, the repression of independence movements and Puerto Rico's strategic role in the regional geopolitical balance through its historical, legal, economic, environmental and social dimensions.

The Conquest of America and International Law (Padua-Venice, 5–8 October 1992)

The Permanent Peoples' Tribunal dedicated its seventeenth session to this theme, held in 1992 as part of the initiatives organised to mark the 500th anniversary of the so-called “discovery” of America. Unlike the Tribunal's other sessions, this one was not conceived as proceedings aimed at establishing specific liabilities or rendering judgements on individual violations. Instead, it was conceived as an opportunity for historical and legal reflection on the origins of modern international law, and on the relationship between colonialism, conquest and the rights of peoples. The session aimed to examine the forms of domination established through conquest and how they have transformed over time. This was done in order to understand contemporary realities and recognise elements of continuity from colonial history that still operate in international relations and relations between states.

The preserved documentation from the session consists mainly of reports and papers presented by scholars and experts in law, economics, history, political philosophy and the social sciences. These materials reflect the interdisciplinary nature of the proceedings, which aimed to analyse the development of contemporary international law in light of its colonial origins, and to examine the ability of law to effectively guarantee the rights of peoples.

The first set of documents is devoted to the origins of modern international law and the theoretical foundations of state sovereignty. In his introductory paper, François Rigaux sets out the rationale for the session, offering a critical reflection on the origins of international law and identifying the legal legitimisation of European colonial expansion as a constitutive element of it. Peter Haggenmacher's contribution focuses on the historical reconstruction of the formation of international law between the 16th and 17th centuries and also fits within this framework.

Of particular note is Luigi Ferrajoli's essay, *La conquista dell'America e la dottrina della sovranità esterna degli Stati*, which is one of the most important contributions to the session as a whole. Drawing primarily on an analysis of Francisco de Vitoria's thought, Ferrajoli highlights its innovative elements and profound ambivalences, demonstrating how reflections on the conquest contributed to the formulation of the founding principles of international law and the construction of the modern state as a sovereign entity. The text also traces subsequent developments in this legal tradition up to the United Nations Charter and the Universal Declaration of Human Rights. It examines the limits of contemporary legal universalism and the persistent tension between state sovereignty and the rights of peoples. From this perspective, the paper emphasises that the modern concept of sovereignty contains elements that have historically fostered exclusionary and domineering practices incompatible with the full universality of rights.

These reflections are linked to the contributions of Monique Chemillier-Gendreau, *Le droit du développement, dernière version de la rationalité occidentale*, and Charalambos Apostolidis, *Rationalité et idéologie*. Both authors challenge the supposed universality of modern legal categories, highlighting how the principle of formal equality between States can mask significant

power imbalances, and how international law has frequently served to legitimise power relations and hierarchies that have been historically shaped by Western expansion.

A second body of work focuses on international economic relations and the forms of domination that emerged after European colonial expansion. In his essay *Échanges économiques et possession du monde*, Jean-Claude Fritz outlines the various historical phases of international economic relations, identifying *jus communicationis* as a theoretical foundation of Western economic expansion. Armando Córdova's contribution, *América Latina y el nuevo orden internacional*, also focuses on global economic relations. The contribution is dedicated to the evolution of world trade and the international financial system, as well as the gradual overcoming of calls for rebalancing put forward by countries in the Global South in the debate on the New International Economic Order.

The Fund also includes contributions dedicated to the relationship between property, sovereignty and the appropriation of resources — themes that this session addresses as central to the construction of the modern international legal and economic order. Stefano Rodotà's contribution fits into this framework too. It examines the relationship between property and sovereignty by analysing the legal categories that have historically accompanied processes of territorial appropriation and the consolidation of political power.

Another thematic strand focuses on the consequences of the conquest for indigenous populations, and the persistence of exclusionary and subordinationist practices inherited from the colonial period. This section includes Angelo Pansa's update on the situation of indigenous peoples in the Amazon and Giulio Girardi's essay *El movimiento continental de resistencia indígena, negra y popular: gestación de un nuevo sujeto histórico*, which analyses the emergence of new collective subjects of resistance in Latin America. Hans-Jürgen Prien's essay, also linked to these reflections, examines the historical and theological context of the conquest, as well as the role played by evangelisation in relations between European Christian societies and the peoples of the Americas.

A final section of the Fund concerns the relationship between war and international law. Against the backdrop of the Gulf War, several contributions examine the resurgence of war as a means of regulating international relations. In addition to the reflections developed by Ferrajoli, Joe Verhoeven addresses the topic in his essay *Les grandes étapes de l'évolution du droit de la guerre*, which provides a historical reconstruction of the transformations in the legal framework of war and its persistent contradictions.

In addition to the historical, legal and economic contributions, the Fund includes *Quinientos años de soledad* by Eduardo Galeano, who was on the Panel of Judges for this session at the time. Attaching the text to the final Judgement offers a poetic and political reinterpretation of the last five hundred years, recalling the history of exploitation, dispossession and resistance experienced by Latin American peoples and territories. Including it in the session's proceedings demonstrates the Tribunal's commitment to complementing legal analysis with broader reflections on historical memory and the human consequences of colonialism.

Together, the preserved materials provide a critical reflection on the origins and evolution of contemporary international law, emphasising the connection between European colonial expansion, the development of the modern legal system, and the ongoing inequalities that define relations between peoples and states. The session thus helped to place the issue of conquest at the centre of a broader reflection on the relationship between law, power and domination, and critically examined the ability of the contemporary international legal system to effectively guarantee the rights of peoples.

4. The interviews

To highlight the value of the digitised documentation and place it in its historical context, the project involved recording three interviews with Gianni Tognoni (Secretary General of the PPT), Luigi Ferrajoli (Professor Emeritus of Philosophy of Law at Università degli Studi Roma Tre, and a member of the Panel of Judges for the 1992 session), and Laura Fotia (Professor of History and Institutions of the Americas at Università degli Studi Roma Tre). The interviews provided an opportunity to explore the significance of the digitised sessions and to reflect on the relevance of the issues addressed by the Tribunal today, through different perspectives — personal testimony, legal analysis and historical context.

The interview with Gianni Tognoni was intended to provide a first-hand account of the origins and significance of the 1992 session, *The Conquest of America and International Law*⁴. Drawing on his decades of experience within the Tribunal, Tognoni reconstructed the historical, cultural and political context that led to the organisation of the session, explaining its rationale, objectives and position within the wider context of the PPT. The interview also examined the decision to hold the proceedings in Padua and Venice, the significance of the testimonies of indigenous peoples, and the connection between the 1992 session and the framework established by the Tribunal, starting with the Universal Declaration of the Rights of Peoples. Particular attention was given to the contemporary relevance of the concept of “conquest”, which is seen as a key interpretive framework for understanding modern-day phenomena of exclusion, subordination and the denial of peoples' rights.

The interview with Luigi Ferrajoli, a Judge on the 1992 Panel and the author of a seminal work on state sovereignty, offered the chance to delve deeper into the legal issues discussed during the Tribunal's proceedings⁵. The conversation focused on the significance of the conquest of the Americas in the formation of modern international law, the innovations and ambivalences of the legal doctrines developed in this context and the contradictions that still characterise the international legal order today. By linking the past to the present, Ferrajoli analysed the continued relevance of concepts such as “just war” in modern contexts and discussed how the Permanent Peoples' Tribunal has contributed to developing a universalist perspective based on the rights of peoples. The interview concluded with reflections on the future challenges of international law and possible developments in global constitutionalism.

In the interview with Laura Fotia, historical context was provided for the sessions dedicated to Central America in the 1980s, with a particular focus on Guatemala⁶. The conversation began with a discussion of the value of the Permanent Peoples' Tribunal archives for historical research. It then analysed the political, social and military tensions that swept through Central America during that decade. Particular attention was given to the PPT's 1983 session on Guatemala, examining its significance in the context of the human rights violations that affected the country. The interview also examined pivotal events such as the overthrow of Jacobo Árbenz's government in 1954 and the gradual emergence of indigenous testimonies in reconstructing the violence. Finally, it considered the legacy of the Permanent Peoples' Tribunal as an initiative dedicated to documentation, advocacy and constructing historical memory.

⁴ See online: <https://youtu.be/jfoss3FsOBO?si=FmxMnOc9X7cQjeKK>.

⁵ See online: <https://youtu.be/iulh9ZHmVsM?si=czTFeWouMsM44b4I>

⁶ See online: <https://www.youtube.com/@PermanentPeoplesTribunal>

5. Conclusion

The project has emphasised the importance of the Permanent Peoples' Tribunal archive as a vital source of documentation for researching the ways in which memory, advocacy and justice have evolved over the past fifty years, particularly with regard to the safeguarding of individual and collective rights. The Fund's documentation illustrates the Tribunal's role as a forum for listening and acknowledging the concerns of communities, peoples, and groups affected by serious violations of fundamental rights. It adopts a perspective that stands in solidarity with the victims and their testimonies. From this perspective, the Fund constitutes a body of documentation capable of broadening the scope of reflection on the memory of peoples' rights, understood as a dynamic process of critically engaging with the past and constructing the interpretative frameworks necessary to address the challenges of the present and the future.

One of the most significant features of the Permanent Peoples' Tribunal is its ability to intervene close to the time of the events under analysis. This allows the Tribunal to gather evidence and testimonies while the historical, political and social processes are still unfolding. Through its sessions, the Tribunal has sought to document and establish responsibility for specific violations, as well as to reconstruct the structural conditions and power dynamics that made them possible. This contributes to broader reflections on the root causes of conflicts, inequalities and forms of exclusion.

This work is particularly significant in Central and Latin America, where the Tribunal's documentation is a valuable resource for historical, legal and social research. In contexts characterised by internal conflicts, political transitions and processes of memory reconstruction, access to independent sources produced during the events themselves is crucial for understanding the past and promoting recognition and justice. In many cases, access to sources related to these events remains difficult and inconsistent, which makes the preservation and promotion of archives such as the PPT's all the more important.

The project represented an initial effort to promote this heritage by reorganising, describing and digitising a significant portion of the documentation. This made materials of interest to the scientific community and a broader public more accessible. The activities carried out have laid the groundwork for further research and outreach, opening up the possibility of expanding the project to promote the Fund through new initiatives to gather testimonies and delve deeper into the numerous sessions that comprise the history of the Permanent Peoples' Tribunal.

Project team:

Simona Luciani, head of the Historical Archives at Fondazione Lelio e Lisli Basso ETS, coordinated the archival work of arrangement, description, and digitization of the materials from the sessions covered by the initiative.

Erika Vettone, archivist, collaborated on the archival work of preserving, cataloguing, and digitizing the materials from the sessions covered by the initiative.

Simona Fraudatario, coordinator and researcher at the Permanent Peoples' Tribunal, oversaw the review of content relating to the documentation that was reorganised and digitised as part of the project. She also conducted the interviews with experts and witnesses with the aim of

contextualising and highlighting the value of the documentary heritage. She oversaw the drafting of this report and translated it in Spanish.

Marta Fraticelli, assistant at the Permanent Peoples' Tribunal's General Secretariat, helped with an initial review of materials related to the session The Conquest of America and International Law, as well as editing the four interviews conducted as part of the project. She produced this translation of the report in English.

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