

Giving Voice to the Voiceless

**Using Testimony as a Brief Therapy Intervention in
Psychosocial Community Work
For Survivors of Torture and Organised Violence**

**A MANUAL
For Community Workers and Human Rights Activists
in Sri Lanka**

Chitral Perera and Shyamali Puvimanasinghe

*People Against Torture (PAT), Sri Lanka
Asian Human Rights Commission (AHRC), Hong Kong*

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*Rehabilitation and Research Centre for Torture Victims (RCT),
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*No one can do EVERYTHING,
but everyone can do SOMETHING in the process of healing*

(Anonymous)

Foreword

This manual introduces the testimonial therapy method which enables survivors of torture to express their feelings and their experiences in a secure and trusting environment. It is our hope that this method will give voice to the hitherto hapless and voiceless torture survivors; resulting thereby in a therapeutic experience of personal healing. It is also envisaged that through the recording and publicising of such expression, torture survivors and their family members will be empowered to continue their arduous struggle for justice and to participate in the mass movement against torture and other state sponsored violence in Sri Lanka.

Chitral Perera
Janasansadaya, Panadura
28 October 2008

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Abbreviations

AHRC	Asian Human Rights Commission
EU	European Union
HVT	Home for Victims of Torture
JS	Jana Sansadaya
M&E	Monitoring and Evaluation
OPCAT	Optional Protocol for the Convention Against Torture
PAT	People Against Torture
PVCHR	People's Vigilance Committee on Human Rights
RCT	Rehabilitation and Research Centre for Torture Victims
TOV	Torture and Organised Violence
UN	United Nations

1. Introduction

This manual on the use of testimony as a psychotherapeutic tool is the result of a collaborative project between People Against Torture (PAT), Sri Lanka, the Asian Human Rights Commission (AHRC) Hong Kong, and the Rehabilitation and Research Centre for Torture Victims (RCT) in Denmark. In May 2008 a similar project was carried out with People's Vigilance Committee on Human Rights (PVCHR) in Varanasi, India. The design of the workshop in Sri Lanka and the contents of this manual build on the valuable experiences gained during the Varanasi workshop process, which also resulted in a manual—to be published in English and Hindi¹ This Manual was produced in cooperation and with financial support from RCT.

1.1 Torture in Sri Lanka

The history of torture goes far back into the history of Sri Lankan society particularly to the development of the political institutions of the country. There is clear evidence that in the early part of Sri Lankan history known as the Anuradhapura period, political institutions were less coercive and there was greater cooperation between the administration and the people.

More coercive ruling started after this era with the development and entrenchment of two main institutions: The caste system under the influence of Indian invasions and the monarchy as an absolutely authoritarian system. Both these institutions required the use of violence for purposes of social control—particularly on people of the lower social strata. From around 10 AD to the time of the colonial powers, Sri Lanka was an extremely repressive society where torture was used extensively. The colonial powers who also wanted to control the population, continued with the same tradition.

Thus, the phenomenon of torture is not a novel concept in Sri Lankan society. However the Sinhalese term for torture i.e. “*wada-hinsawa*” has been derived from the coining of two words: *wadaya* (infliction of pain) and

1. See Raghuvanshi, L. & Agger, I. (2009). Giving voice: Using testimony as a brief therapy intervention in psychosocial community work for survivors of torture and organised violence. Manual for community workers and human rights defenders, Uttar Pradesh, India. Copenhagen: RCT, Praxis Paper Series, in press.

hinsawa (cruelty). Though these two words have been widely used throughout our history, the term for torture (*wada-hinsawa*) is not widely used and this may well be a reason for its unfamiliarity in local parlance.

Today ‘Torture’ or the infliction of pain (*wadaya*) and cruelty (*hinsawa*) continues to be widely used in many contexts e.g. home, work, school, hospital, courts, public transport and on the roadside. It has been used often by all levels in society and, depending on the context; its meaning is clearly understood and conveyed.

Ironically ‘wadaya’ or ‘hinsawa’ refer to the same methods often utilized to induce others to ‘do good’ or to refrain from these very same acts of cruelty. ‘Hinsawa’ (cruelty) has been a much used or abused word and disapproval of it has extended to include even cruelty to animals.

Until the Kandyan Convention in 1815 (entered into between the British and the guardians of the Kandyan Kingdom) torture (referred to as *wadaya*—infliction of pain) was the primary mode of punishment. During these times torture had been institutionalized and systematically practiced. The Convention abolishes the practice of the 32 methods (*detis-wada*) of torture existing up to that time.

Also, according to Buddhist preaching (*bana*), anyone who committed acts that amounted to ‘sin’ went to hell after death. There, they were punished according to the magnitude of their ‘sin,’ with each sinful act allocated one of the 32 methods of torture. Hence representations of torture methods are commonly found adorning the walls of Buddhist temples, in ancient frescos, sculptures and in poetry—indicating their acceptance in local religion and culture. During later years, *Pandols* erected during religious festivals such as *Vesak* and *Poson*, depicted the 32 methods of torture amidst decoration, colour and light. This practice continues even to this day.

All local religions have disapproved of torture, cruel, inhuman and degrading treatment; and there are many religious teachings and sermons against torture. However at one time or another, every religion has utilized these very activities for its propagation.

Along with the opposition to torture (i.e. *wadaya* and *hinsawa*), ‘patience’ has been promoted as a noble cultural trait. We are trained to be patient and

enduring in times of adversity. This may explain the lack of reaction or shock (patience) to the prevalence of torture in society. When the victims of torture belong to a 'race', 'religion' 'social class', or hold a political opinion different to us, torture has actually been condoned by society.

For example, there are many who approve of the torture of a suspected criminal in police custody even to the point of causing death notwithstanding that the act of torture is unreservedly prohibited under domestic law.

When a schoolchild is severely assaulted by his/her teacher, both student and parents are expected to remain silent. Complaining or seeking legal remedy is simply not acceptable. This has been the experience of numerous schoolchildren and their parents seeking assistance from People Against Torture (PAT). As torture is widely accepted in Sri Lankan society the abuse of a child by his or her teacher is expected to be tolerated by the parents without complaint.

However, the persons who most advocate torture are the elitist sectors of society. Torture was used as a mode of social control in feudal and colonial society; and there was no psychological aversion to the use of torture. Today, while the ordinary folk in the country maybe adjusting to such practices out of a lack of choice, the proponents of torture still remain as always, the sophisticated sections of Sri Lankan society.

They support state repression by using arbitrarily forms of deprivation of life and also torture. While in developed democracies the more enlightened sections maybe the ones who take a more proactive stance to abolish torture, in Sri Lankan society it is unfortunately these sophisticated groups who hinder progress in this regard.

Thus, the use of torture has been supported across society even by those who preach loving kindness unto animals. Torture has been institutionalized in police stations, schools, military, prisons and other detention centres. It has been found with reliability to be prevalent quite independently from the civil war or the context of the conflict. A serious academic study into torture in the past has not yet been undertaken by anyone.

1.1.1 Modern history of torture in Sri Lanka

Modern history of torture in Sri Lanka can easily be traced to the

development of the Sri Lankan policing system. The British colonial powers introduced the policing system. Prior to this, there had been no concept of policing though there had been some forms of village controls by local headmen. The nature of the policing institution that was introduced to Sri Lanka together with the need to serve colonial interests, created the monster that could not do without torture. At no stage was this institution transformed into a modern civilian system. It remained an institution that relied on torture for every aspect of criminal investigation.

Also, prior to the introduction of common law by the British and the start of criminal trials, torture was not used to obtain information or confessions. With the introduction of criminal procedure and criminal trials began police investigations into crimes; and the most convenient method of investigation was the use of torture. The British did realise the extensive use of torture by the police and attempted to reduce its use by introducing an evidentiary rule forbidding the use of confessions in criminal trials. However, the practice of torture continued.

In Sri Lanka the policing system was used for purposes of repression; not for solving of problems in an enlightened manner through a policing system that benefited the people. The fundamental reason for torture in Sri Lanka remains the main contradictions within the policing system. These contradictions also determined the use of violence on civilians by civilians such as the violence used on children by parents. The studies of discipline such as that of Foucault are very relevant to the way discipline is conceived in society. Both the policing and prison systems in Sri Lanka were created in such a way that they cannot avoid the use of torture unless they are thoroughly reformed.

During the period beginning from 1971 there were insurgencies in every part of the country and this also brought the Sri Lankan military into the affairs of social control. With little experience of dealing with political and social problems, the military was given an open licence to use violence. Disappearances, extrajudicial killings and torture became a central part of Sri Lankan life. The military maintained torture chambers and created mass graves. There was no room within the legal system to challenge these problems.

Throughout modern history the practice of torture has been maintained; and gradually and systematically intensified.

In 1971 in response to a revolt against the state by youth in the southern parts of the country, an estimate of 10,000 young men and women were killed, the vast majority whilst in custody, after being severely tortured. The fortunate few who survived have stood witness to the horrific forms of torture that were used, both physical and sexual.

The period 1988 to 1991 is known as the era of fear psychosis (beeshanaya). Again the JVP (People's Liberation Front) revolt involving mainly unemployed and educated youth, was suppressed through the lessons learned from 1971. The JVP terror unleashed the state terror mechanism that witnessed the deaths of 40,000 to 60,000 youth, again mainly in southern Sri Lanka. Extrajudicial killings, torture and rape became the order of the day. Few perpetrators have ever been brought to justice in a society where impunity reigns high.

Since the mid-1970s, discontent among the minority Tamil population in the northern and eastern parts of the country gave rise to the LTTE (Liberation Tigers of Tamil Eelam) and their demands for a separate state. This has resulted in a 25-year-old civil war that is being fought with brutal intensity to this day.

The military and police were sent to crush the LTTE terrorism. However it has been the ordinary men, women and children caught in-between who have been most victimised. The killings, torture, destruction and mayhem first committed by the army and police in the southern parts of Sri Lanka in 1971 and the 1988-92 period, was then unleashed on the Tamil and Muslim minorities in the east and north. The notorious emergency regulations and the prevention of terrorism Act allows for the arrest and detention of not only Tamils, but any others even remotely suspected of supporting the LTTE, together with anyone who questions or opposes the military or the state. These unfortunates are thereafter detained for years on end and subjected to the most horrific forms of torture and cruel treatment ever imaginable.

Sri Lanka has been a state party to the UN Convention Against Torture since 1994. Under domestic legislation i.e. the Convention Against Torture Act No 22 of 1994, any state official found guilty of torture, cruel, inhuman or degrading treatment could be punished with 7 years of imprisonment and also fined. However, since investigations and prosecutions are conducted by the state itself, the accused continue to hold their official positions whilst

being tried. Victims and witnesses are freely intimidated, threatened, attacked and even killed. Charges are poorly framed and cases drag on for 5-6 years, at the end of which most of the accused are acquitted.

1.2 People Against Torture (PAT)

People Against Torture (PAT) was established in May 2002. At present, it comprises 6 independently functioning organizations rallying around the main objective of prevention and eradication of police torture in Sri Lanka. (i) Home for Victims of Torture (HVT) and (ii) SETIK in Kandy, (iii) Right to Life, Katunayake, (iv) Rule of Law Centre, Nugegoda, (v) Gampaha Citizens Committee for Human Rights and (vi) Janasansadaya (People's Forum) in Panadura together with the Asian Human Rights Commission (AHRC) in Hong Kong.

1.2.1 Janasansadaya (JS)

As an example of the work carried out, a brief introduction of Janasansadaya (JS), Panadura is afforded vis-à-vis intervention on behalf of torture survivors and their families.

(i) Legal interventions

When a torture survivor is first met, his/her complaint is obtained and recorded. All information regarding the incident including evidence, medical certificates, and case records are collected. The written complaint is forwarded to all relevant state authorities including the Inspector General of Police (IGP) and other police authorities, the Human Rights Commission (HRC), the National Police Commission (NPC) and the Attorney General.

Lawyers are retained to represent the torture survivors for any legal action they may desire to take or to fight fabricated charges filed against them by the police. JS activists also represent victims at the HRC, NPC, and police inquiries. When required, the survivors are also afforded economical support, medical treatment and physical security to enable them to seek justice.

The incident is also reported to AHRC's Urgent Appeals desk; other local and international NGOs and the media by way of JS Urgent Action. Selected stories are published in the Daily Mirror under the column 'Voice of the Voiceless'. These case stories are later compiled into publications with the intention of raising awareness regarding torture.

Survivors who complain of their torture and seek to obtain justice face several hurdles. Initially, in response to their complaints two types of inquiries could be held: A departmental inquiry is performed by the Senior Superintendent of Police (SSP), on the recommendations of the NPC, IGP or Attorney General. An Inquiry by the Special Investigation Unit (SIU) might also be initiated. The first is limited to taking disciplinary action against the perpetrators while the second is to ascertain the suitability of filing criminal charges against the perpetrators. In both cases the victims are assisted by JS and sometimes accompanied to the inquiries, for moral support.

In many instances fundamental rights cases are instituted in the Supreme Court. Action taken in this regard include retaining and meeting with lawyers; preparing the required court documents; collecting relevant reports; meeting witnesses and victims and discussing the cases with them. After the case is filed steps are taken to protect the rights of the survivor in court.

It is a common practice that consequent to survivors instituting legal action against the suspected perpetrators, the police too take steps to fabricate cases against them. In these instances the survivors are assisted legally to prove their innocence in court. In 2008 nine fundamental rights cases have been filed in the Supreme Court while 63 cases have been called on 130 court dates in the lower courts. JS activists accompany them to court when it is felt they require the moral support.

(ii) Psychosocial interventions

Since 2006, counselling has been provided to those torture survivors who require such assistance. Currently the organization has two trained trauma counsellors — one at Panadura and the other at Kurunegala. During 2008, torture survivors have been provided psychosocial counselling at the main office in Panadura as well as at Galle, Kurunegala and Ratnapura. It is worth noting that only 16 out of 193 torture survivors arriving at JS in 2008 received some form of psychological assistance — indicating that there is still an enormous need for psychosocial interventions in the organizational setup.

Thirty victims have also been referred to medical specialists for treatment in 2008. Survivors who have been hospitalised are also advised to or assisted in the process of obtaining reports from the judicial medical officers regarding their injuries.

(iii) Victims Solidarity Groups

In 2006 victims solidarity groups (VSG) were set up in several villages. Here, groups of villagers rallied around the torture survivor to offer support and security while pursuing legal remedies against the perpetrators. Soon members of these groups received basic training as HR defenders and actively engaged in referring other victims in their areas to the organization, taking the initial steps of complaining, participating in street movements and other awareness raising and empowering activities. The idea is that the best physical security to the torture survivors is provided in their villages among their people.

(iv) Street movements

A street movement is an awareness raising and empowering event. It involves a small group of about 20-30 torture victims, their families and HR activists standing by the road side and silently displaying banners, posters calling for justice reforms. The occasion is also utilized to distribute organizational publications and other promotional material regarding the justice in Sri Lanka. From Jan. to Oct. 2008, 95 street movements have been conducted with a participation of more than 1500 people from across the south of Sri Lanka.

(v) Related activities

Publications: The organization has several publications in the form of booklets, pamphlets and posters—which are sold at street movements. In September JS participated in an 8-day International Book Fair held in Colombo where these publications were exhibited and sold to a wide audience.

View exchange meetings: Throughout the year seminars, discussion and training programmes are organised for community leaders, HR activists, media personnel, government officials and professionals on diverse themes relevant to the organisation.

1.2.2 Home for Victims of Torture (HVT)

HVT in Kandy also carries out legal and psychosocial interventions as well as psychotherapy, as there is a professionally trained psychologist among the staff. In addition some victims are sent for skill development programmes in different institutes.

1.3 The Asian Human Rights Commission (AHRC)

The Asian Human Rights Commission is a regional non-governmental organisation monitoring and lobbying human rights issues in 13 countries situated in South, Southeast and Eastern Asia. The AHRC works mainly on issues such as torture, extrajudicial killings, disappearances, Dalit rights, and the right to food. AHRC's main focus is to promote the right to an effective remedy for human rights violations, by advocating for improvements to the rule of law and the criminal justice systems in the countries, in accordance with international standards. The Hong Kong-based group was founded in 1984 and works closely with grassroots level groups in the individual countries.

1.4 RCT: Developing knowledge

RCT is based in Copenhagen, Denmark. RCT's mission includes the contribution of new knowledge about how to alleviate the human suffering that is a consequence of torture. The present international partner organisations of RCT undertake various counselling interventions to assist victims of torture, but the concept of counselling has different meanings for different organisations, and there is a need to develop more structured, evidence-based, short-term psychosocial intervention methods which are realistic in a grassroots context with limited resources.

As the testimony method has already proven to be useful in a variety of cultural and geographic contexts, it was the hypothesis of this collaborative project that the testimony method, adapted to a Sri Lankan context would also be a valuable tool for community workers and human rights defenders who wish to provide psychosocial support to survivors of human rights violations.

1.5 The workshop process

During a five-day training workshop conducted by an RCT psychosocial consultant, 22 members of the PAT network and their associates were trained in the use of the testimony method. The workshop, which was divided into a theoretical and a practical part, included an overview of psychological symptoms after torture, therapeutic processes, communication, approaches to community work, and monitoring and evaluation. Through role-plays

and group work the participants could personally experience various types of communication, the filling-in of a mental health questionnaire, the taking of a testimony, and peer support. During these five days the different steps of taking a testimony were defined and practised, and various “mindfulness” meditation exercises and activities were successfully added to the testimony procedure.

In the following five days, in a supervised process, the participants collected testimonies from nine survivors of torture. The experiences and feedback from these realistic situations helped further refine the stages of a Sri Lankan testimony model.

The training was concluded by two ceremonies both held in Kandy. These ceremonies also concluded the testimony therapy for the nine survivors.

1.5.1 A cultural and spiritual ceremony

The first ceremony was organised by HVT in the Catholic Mission House in which two testimonies were read out by the trainees who also delivered honorary speeches for the survivors. Present were a number of Support Group members (lawyers, doctors and lay people) and the parishioners – in total about 35 people.

A special ritual had been composed by the HVT workshop trainees which included cultural elements such as lighting of the oil lamp, greeting with “betel” (a certain type of leaves which are used for welcoming a person), Kandyan dance comprising of a mixture of Tamil and Singhalese dances, delivery of the testimony on a white, lace cloth by the Director of HVT, a group honouring of the survivors in which all the participants greeted the survivors in a very warm manner. The ceremony was concluded by a traditional tea accompanied by “Kiribath” (milk rice), “Kavun (oil cakes) and banana after which the survivors shared their experience as to how they had felt during the ceremony.

One of the survivors said that he felt “great” and now feels accepted by the larger community. The other survivor who was a secondary victim – her son is still in prison – was able to share her pain with a larger group than her own ethnic group, which is Tamil. The participants were very touched by her pain, and she felt more accepted by her local community, which had suspected her of being a member of a terrorist group. HVT is planning to continue this type of ceremonies with strong cultural and spiritual elements.

1.5.2 A public ceremony

JS organised a public ceremony in Kandy in which five testimonies were read out by the trainees at the end of a media conference. The conference was part of the “OPCAT project”, which AHRC implements in collaboration with RCT and EU. The audience consisted of about fifty people out of which approximately twenty were media people. After speeches about prison conditions in Sri Lanka followed by a discussion with the press, a testimony delivery ceremony was conducted in which five testimonies were read out and delivered to the survivors who were also honoured with flower garlands and a speech, which praised their bravery and encouraged them to continue fighting for justice. The ceremony ended with everybody joining in the singing of the national anthem, after which a lunch was served.

JS plans to publish the testimonies recorded for the year 2008. The testimonies can also be used for urgent appeals, human rights updates on the Internet, information to the UN, and articles in the press. They can be used for campaigns in which a “psychological mapping” of the suffering of the survivors shows their pain and provides evidence of the severe effects of torture on the human mind.



At the ceremony, a torture survivor is warmly welcomed by members of the local human rights community.

(Photo: Home for Victims of Torture-HVT)

2. The procedure of testimony therapy

2.1 What is testimony therapy?

The word “testimony” has a double connotation in English². It is a statement which can be objective (legal, public, and political), as well as subjective (cathartic, spiritual, emotional, and private).

The effect of testimony therapy can be related to this double connotation, which could help the survivors understand, or reframe, their private pain as a social problem. As this double connotation does not exist in Singhalese, we hope to introduce survivors to this understanding:

- A legal testimony can be evidence or attestation in support of a fact or a statement, or any form of evidence or proof, which can be used in inquiries, investigations and court cases.
- A subjective, “emotional”, testimony can be an open acknowledgement or an expression or declaration of disapproval or condemnation.

In Ayurvedic medicine, a testimony with emphasis on legal aspects could be defined as “hard and dry”, representing the sun and the male aspects, also associated with allopathic (Western) medicine. Survivors giving hard and dry testimonies will usually try not to show emotions.

A testimony with more emphasis on the emotional aspects could be defined as “soft”, representing the moon and the female aspects, also associated with homeopathic medicine.

As all human beings contain both aspects, it is an important part of testimony therapy to help create a better balance between the male and female aspects, if a survivor is only able to express one of them.

However, in testimony therapy the emphasis is on the subjective and emotional aspects of the survivor’s story, although the testimony might also be useful in a struggle to obtain justice.

2 In Singhalese, there is no word for testimony with a double connotation, but we could coin a phrase “suwaya laba ganeeme kathava” = a story that brings healing.

Testimony therapy, which originated in Chile during the military dictatorship has been used in different variations for more than 20 years in a number of cultural and political contexts: in Denmark, the Netherlands, Germany, Bosnia, Kosovo and USA (for refugees), in Mozambique (for survivors of civil war), Iraq (for humanitarian aid workers), in Uganda (for Sudanese refugees)³.

2.1.1 Healing elements of the testimony method

- Survivors regain self-esteem and dignity by recording their story in a human rights context; the private pain is reframed and takes on a social, rights-based meaning;
- Stressful events are integrated by helping the survivor to reconstruct the fragmented story so that it becomes a coherent narrative, which is balanced and contains both “hard” and “soft” elements of the story;
- Survivors revisit some of the fear experienced during the stressful event. Contacting this fear in a safe, supportive and meaningful context can help the survivors understand their present emotional reactions and diminish general anxiety and stress reactions;
- Survivors understand how present thoughts and responses have developed and how certain situations (e.g. seeing a policeman) might trigger the fear response;
- The narrative of the survivors become part of the collective memory of the community and the family;
- By adding a mindfulness meditation component to the testimony method, stress and anxiety is further reduced, and awareness about harmful and healing thoughts is encouraged. Although not practised very much, meditation is an important part of Sri Lankan religious tradition. Practicing yoga and other spiritual and cultural embedded

3 See References for articles presenting the testimony method in different contexts.

traditions have also been found to be readily accepted and beneficial in Sri Lanka⁴.

2.2 When is testimony therapy needed?

When a legal testimony is taken for use in court proceedings and other legal purposes, the human rights activist may notice that a survivor is suffering from serious psychosocial and emotional problems. In this case, it might be relevant to refer the survivor for testimony therapy.

- The survivors referred for testimony therapy must be men and women who are more than eighteen years old; this is because the age of majority under Sri Lankan law is eighteen; and a question may arise as to whether it is ethical /proper to publicise a minor's story;
- The survivors can be primary or secondary victims of TOV. Often the secondary victims are female and have been beaten and abused by the police while the primary victims were arrested. However, there are many instances in which the women are the primary victims.

Referral is *not* advised if:

- The survivor suffers from severe depression or other psychotic symptoms. In this case, the survivor should be referred to a psychiatrist;
- The survivor is active in a self-healing process of human rights or other forms of activism;
- The survivor is not motivated for therapy. It is very important to ensure that the survivor really wants to participate in the testimony therapy⁵.

4 See Somasundaram, D. (2007). Collective trauma in northern Sri Lanka: A qualitative psychosocial-ecological study. *International Journal of Mental Health Systems*, 1 (5).

5 Concerning harmful and positive effects of transitional justice, including testimony, see Salih, M. & Samarasinghe, G. (2006). *Localizing transitional justice in the context of psychosocial work in Sri Lanka*. University of Colombo: Berghof Foundation for Conflict Studies.

A staff member with a psychological or social work background should evaluate referrals for testimony therapy and pass the referrals on to trained community workers or human rights activists.

2.3 Who takes the testimonies?

It is only possible to use the testimony method with survivors of torture if they have a complete *trust* in the therapists. Therefore, the therapists must be part of an organisation, which the survivors already know and in which they have faith. This will most likely be a human rights organisation, which has already made legal testimonies with the survivors and supported them in their fight for legal justice and reparation.

- The testimony therapy is performed by *two* persons (“therapists”), with one acting primarily as the interviewer, while the other is the note-taker. They act as co-therapists, supporting each other in the elaboration of the testimony;
- The therapists can be community workers, human rights defenders on the grassroots level, or social workers based in a central location. Therapists should have passed as a minimum the O/L (ordinary level) examination, plus three years of field experience. All must have been trained in testimony therapy;
- For testimonies with female survivors, the therapists (and possibly interpreter) should be female. Usually therapists of both genders can take testimonies with male survivors except for cases of sexual torture;
- In some parts of Sri Lanka, an interpreter may be required, who — in that case – must also be trained in the testimony method;
- The testimony should be taken in a secluded place, which is chosen by the survivor. It might be in the home of the survivor or in the office of the human rights organisation.

2.4 How is the testimony taken?

The testimony therapy is performed over three to four sessions including a monitoring and evaluation (M&E) element. M&E is advisable and requires

pre and post therapy assessments in which a questionnaire is completed. M&E is helpful to more clearly identify socio-demographic, psychosocial, and health characteristics of the survivors. With a pre therapy assessment, a baseline is also established which can be compared to post intervention levels of functioning⁶.

- Duration of sessions: 90 – 120 minutes. The survivor should be informed before the session starts about the number and duration of sessions;
- Meditation: First and second session could include a meditation (“mindfulness”⁷) relaxation experience guided by the therapists, in which the survivor and the two therapists sit together for ten minutes in silent concentration on their breathing and with awareness of their thoughts and feelings. The meditation will usually take place at the end of a session;

Meditation instruction:

1. *Sit with straight spine and hands on knees; if possible, sit cross-legged on the ground, otherwise, sit on a chair with both feet on the ground;*
2. *Close your eyes;*
3. *Bring your attention to your belly, feeling it rise when inhaling and fall when exhaling;*
4. *Keep your focus on your breathing;*
5. *Every time your mind wanders away from your breathing, notice what it was that took you away and then bring your attention back to the breathing – welcome any thought with which your mind becomes preoccupied and return to the breathing;*
6. *Practise this for at least ten minutes.*

6 The results of this comparison are valuable for raising awareness about the importance of investigating the outcome of psychosocial interventions. This awareness can lead to improvements of the methodology. However, without control groups, the effect of the method cannot be measured with full scientific validity.

7 See Kabat-Zinn, J. (1990, 2005). *Full Catastrophe Living: Using the Wisdom of Your Body and Mind to Face Stress, Pain and Illness*. New York: Delta Trade Paperbacks.

- **Writing the story:** The testimony is written in note form by the note-taker during the sessions; After the sessions, the interviewer and note-taker collaborate on filling-in the missing parts of the story and produce a computer version of the narrative;
- **Grammar of the story:** The story in the written testimony is in the first person (“I experienced”, and not “he experienced”). The story about the traumatic events is in the past tense, while sensations and feelings produced by the story are in the present tense;
- The story should be written in a clear and powerful language. It should not be too long but contain the essential facts, experiences and feelings of the survivor. If the written testimony becomes too long, it will be difficult to write the final document and it will also be harder to maintain the attention of the audience during the ceremony when the testimony is read out;
- **Peer support:** Therapists should organise settings where they can support and supervise each other. This could be in groups or in pairs. Working with survivors of TOV is stressful for everybody.

2.4.1 Session One: Opening the story

- The testimony procedure is explained, beginning with a psycho-educational introduction to the survivor in which his or her symptoms are explained both as a result of the torture and of the violation of universal human rights, which has taken place;
- Preparatory introduction to the therapeutic approach: The testimony should not be seen by the survivor as directly related to expectations of obtaining immediate justice and reparation but as a way of healing the psychological effects of the torture;
- The M&E questionnaire is completed: It is explained that the data are confidential and will only be used for developing methods for helping survivors of torture;
- Short description of personal background and individual history prior to the first traumatic event or persecution;

- With open questions the survivor is asked to briefly describe the stressful events s/he has experienced and choose one major, overwhelming traumatic event;
- The therapist gives an overview of the different events to help the survivor trace one of the experiences and help him/her really begin the re-construction of the narrative;
- The therapist separates overlapping stories (if the survivor wants to tell about more than one event); the therapist structures the topics and helps to clarify ambiguous descriptions;
- It is important that the therapist is “in control” of the situation and leads the survivor in getting to the main points of the story;
- The survivor narrates the facts concerning this event (time, place, duration and people involved); the survivor’s role during the event (observer, participant, active or passive); the individual and social dimensions of the experience; the survivor’s perceptions and feelings at the time of the event; the survivor’s perceptions and feelings at the time of the testimony therapy;
- The therapists (interviewer and note-taker) are empathic and accepting; Inconsistencies are gently pointed out; the survivor is encouraged to describe the traumatic events in as much detail as possible and to reveal the emotions and perceptions experienced at that moment;
- Culturally appropriate touch (e.g. a hand on the arm of the survivor) may be used by the therapist as a healing tool;
- A mindfulness meditation experience is conducted at the end of the session.



A torture survivor tells his story during session one. (Photo: Janasansadaya)

2.4.2 Session Two: Closing the story⁸

- One of the therapists starts the session by reading the written testimony to the survivor in a loud voice so that the survivor hears that his or her story has been given voice. The survivor is asked to correct the story or add any additional details that may have been missed;
- The therapists continue the session as during the first session;
- The therapists focus especially on the relationship between the stressful experience and the present situation;
- The survivor is encouraged to express his or her feelings about the future (individual, family and community);
- A mindfulness meditation experience is conducted at the end of the session;
- After the session, the therapists correct the document and a final version of the testimony is produced.

2.4.3 Session Three: The turning point – the ceremonial delivery of the testimony

- The final version of the testimony is produced in a form that is as appealing and beautiful as possible (e.g. on good paper, bound and with a nice front page including a photo of the survivor). The delivery can take place at a public ceremony if the survivor agrees, e.g. at public hearings and media conferences. It can also take place at closed meetings when it is considered too risky to expose the survivor;
- At the meeting, the testimony is read out by the therapist in a loud and clear voice. Using the survivor's testimony at a community meeting is a powerful way of "giving voice" to the oppressed, and might be a

⁸ Session One and Session Two can be combined into one extended session of at least two to three hours, in which the testimony is finalised. This proved practical in Sri Lanka where some of the survivors – and sometimes also the therapists - had to travel long distances to meet.

turning point in the healing process. One survivor expressed after the ceremony that he now felt accepted by a larger community – his self-esteem was boosted. He could now move freely and relaxed in society;

- If a public ceremony is held, possibly including the testimonies of several survivors, the human rights organisation can give the survivor recognition, and pay tribute to the importance of the testimony, which now has the significance of a memorial. The survivors may receive honorary flower garlands and flower bouquets, and the media as well as public dignitaries might be invited to attend the ceremony;
- The testimony can also be read out by the therapists at a Victims Solidarity Meeting where the group and the survivor can comment and supplement it and the survivor can get the support of the other group members. Also here the human rights organisation pays tribute to the bravery and struggle of the survivor. Up to four or five testimonies can be read out during the same meeting;
- It is important that the testimonies are not too long, but represent the most important experiences and feelings of the survivor;
- The Victims Solidarity Group meeting can be concluded by a meditation experience.

2.4.4 Session Four: Post-therapy testing to monitor and evaluate the outcome of the testimony therapy

- The therapists meet with the survivor one to two months after the last intervention (public ceremony, community meeting, or delivery of the testimony), and the M&E questionnaire is filled-in;
- The results of the tests are entered into the database;
- An analysis of the results is made;
- The results are evaluated and recommendations are made about future work with the testimony method.

2.5 The Use of the Testimony

- A copy of the testimony is kept for documentation purposes if the survivor agrees;
- The testimony can serve as a memorial to inform and teach future generations (e.g. a grandchild may read out the testimony to the survivor);
- The testimony may also be used for advocacy purposes, legal action or published in some other way if the survivor agrees and if it can be assured that no harm may result for the survivor; the testimony can also be translated into English so as to maximize its potential to be used to further the work of international human rights advocacy;



The testimony of a torture survivor is read out aloud at a Victims Solidarity Group meeting. *(Photo: Janasansadaya)*

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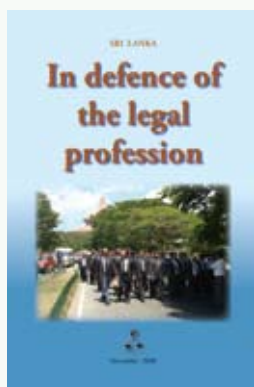
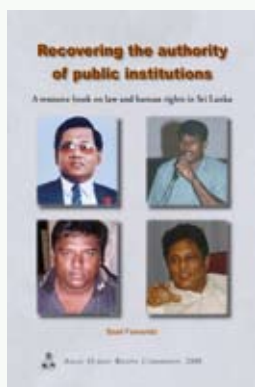
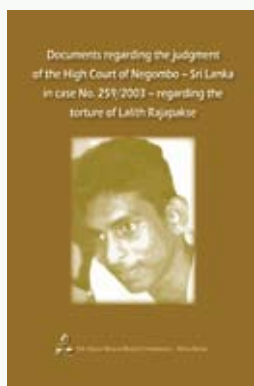
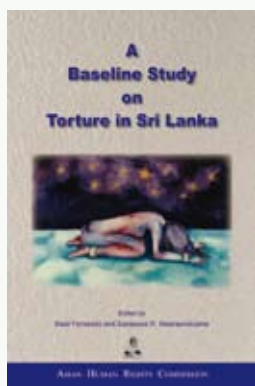
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