



IV. SHAPING THE TESTIMONIES

In addition to identifying good public speakers/presenters who will be able to deliver their testimony clearly and effectively, it is just as important - if not more so – to ensure the development of the human rights dimensions of testimonies that will be delivered. The foundation of a testimony should be based on answers to core questions (such as those that follow below) focusing on the human rights issues involved. This is especially relevant when one of the tribunal/hearing objectives is to gather documentation that may be used later in making an official complaint within the UN or other human rights machinery.

What is the violation?

Provide as much detail as possible concerning the nature of the violation(s). Dates, times and locations should be stated as well as the names of individuals who and/or organizations which can support the victim's account (more detailed contact should be provided in background materials accompanying the testimony). For example, in the case of spousal battery, a hospital emergency room may have repeatedly treated injuries that are clearly related to assault rather than being "accidental." The testimony should also state the international or regional human rights agreements and relevant articles that have been violated.

Who is the violator?

Where the testifier's safety is not endangered, the testimony should name the individuals or entities that have perpetrated the violations. This might include private individual(s), state agencies or officials, corporations, private associations, or social/cultural institution(s). Violations can be the result of direct actions by such perpetrators, or they may be the consequence of a failure to take the necessary actions to ensure the protection of human rights as laid out in the Universal Declaration of Human Rights or other human rights instruments.

What is the remedy sought?

The remedies sought can vary greatly and include:

- Policy remedies such as demanding the repeal, amendment, or effective implementation, of specific national legislation.

- Legal remedies, wherein state in question brings criminal or civil charges against the violator, or the state itself is challenged in an international human rights forum.
- Financial remedies that provide compensation to the victim(s)
- Moral or political remedies such as public apology from the state entity or other actor to the victim(s)

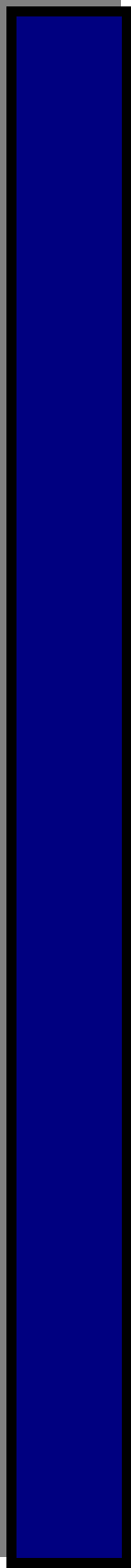
(The above scheme is based on a workshop at the Center's 1994 Women's Global Leadership Institute led by Dorothy Thomas, Director of the Women's Rights Project- Human Rights Watch. Also, see Appendix 6: "Confidential Violence against Women Form" prepared by the Special Rapporteur on Violence Against Women, its Causes and Consequences.)

THE DEVELOPMENT OF TESTIMONIES

The drafting process for testimonies should start several weeks prior to the tribunal/hearing. Working with the testifiers and members of the tribunal/hearing committee, the coordinator should develop an appropriate schedule for completion of each testimony. Keep in mind that if the initial draft of the testimony is forwarded to the tribunal/hearing coordinator for review approximately 3-4 weeks before the tribunal/hearing, the testimonies can then be returned with helpful comments and revised by the testifier with their support persons.

As with the briefing document in Section III for selecting testifiers, it can be useful to establish guidelines that all the testifiers can use in developing their testimonies. General information about the tribunal/hearing such as objectives, key issues, etc. should be combined with more specific requirements for testimonies such as time limitation and capacity for including audio-visual elements as part of the presentation. In addition to structural guidelines, it's also important to outline some key elements that you would like included in the content of each testimony. These guidelines can be based on the questions outlined above in combination with the following points:

- The testimony should 'frame the issue' according to your key objectives and desired outcomes - media attention, documentation, highlight successful strategies, etc.
- The tone of the testimony should convey the activist role of the testifier and/or other women in challenging the violations described and avoid casting the victim as wholly powerless.
- Where possible action-strategies that have been utilized, or are in process, should be highlighted including: law suits, complaints procedures, lobbying efforts, or examples of grassroots mobilization around the case.



Encourage both the testifier and the tribunal/hearing committee member acting as their support person to arrive at least one day before the tribunal/hearing. It is valuable to ask all the testifiers to present their testimonies to each other prior to the actual event, with time afterwards for exchange and minor revisions as appropriate. This creates a greater sense of mutual support among the testifiers, as well as allowing for more coherence among the testimonies.

USING AUDIO/VISUAL ELEMENTS AS PART OF THE TESTIMONY

If your chosen venue is suitable, the use of audio/video clips, photographs, and images as part of the testimony can add greatly to the impact of that testimony and to the overall event. All audio/visuals should be carefully evaluated with a view to avoiding sensationalism. If it is decided that audiovisuals will be used, the written testimony needs to be adjusted accordingly and steps should be taken to ensure that the necessary technical equipment and support is in place at the venue on the day of the event.

GATHERING AND PREPARING BACKGROUND INFORMATION AND SUPPORTING MATERIALS

Ask tribunal/hearing committee members, testifiers, and the Advisory Group of human rights experts to provide you with all relevant information they have on each specific case, as well as on the general issues addressed by the testimonies. This can include media articles, statistics, articles from scholarly or activist journals, etc. This information is vital in the preparation of judges' or respondents' statements as well as briefing documents for the media.