



## Good practice for handling survivor testimony

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There are multiple challenges when interviewing a survivor of sexual violence in the context of armed conflict. This is particularly the case when considering the social and cultural diversity and resilience of women who have lived through this experience. However, in her dual role as victim-survivor and documentary journalist, the author makes recommendations based on her long-standing experience. This knowledge can be put to use before, during and after the information gathering process.

The civic-military dictatorship in Argentina ruled the country from 1976 to 1983. All democratic institutions were dissolved, and social, trade union, political and even religious activism was persecuted. The repressive methodology included, as its main tool, the forced disappearance of people. This began with kidnappings by armed paramilitary and parapolice gangs in civilian clothes, interrogations under torture in clandestine detention centres, and physical elimination. Murder was conducted by dropping drugged bodies into the ocean, with fake armed confrontations, or by explosion and then burying the remains.

State-sponsored terrorism was also carried out using other methods. Illegally detained pregnant women were kept alive until they gave birth in military facilities in unsafe conditions. Their babies were usually given away to childless families with connections to the armed forces. More than 500 of these cases have still not been identified by Abuelas de Plaza de Mayo, the group investigating child theft and working to restore victims' identities.

The military also appropriated material goods. Houses, apartments, farms, fields, cars and even racehorses have passed under duress from the hands of the kidnapped to those of the repressors.

In various cases, under Argentina's policy of "Memory, Truth and Justice", judicial proceedings have resulted in convictions for these crimes. This is despite the "Full Stop" and "Obedience" laws that ran from 1987 until the early 2000s.

But there is a repressive mechanism that, until very recently, was not made visible, nor addressed nor understood: not by society, not in the courts, not in human rights organisations. And perhaps it is still not fully understood. **This is what Olga Wornat and I (in our book "Putas y Guerrilleras") decided to call "sexual terrorism". It addresses the topic of sexual violence against women prisoners who have disappeared, issues I have dealt with in my dual role as survivor and researcher.**

Truth started to emerge as early as 1985 during the seven-year trial of the juntas. When the members of the three successive dictatorial governments were tried, some of the women survivors of the clandestine detention centres told of the sexual abuse and rape they suffered, and others spoke of having witnessed these acts. Yet this issue was not the subject of the trial. For example, Elena Alfaro an ex-detainee in El Vesubio, told of being raped when she was four months pregnant and that other women in captivity had also been sexually assaulted. It was only when the Criminal Court in The Hague declared that sexual crimes were crimes a

*« The road to full testimony being given can be long »*

against humanity that prosecutors began to ask victims and witnesses for their testimony, and whether they wished to pursue criminal charges.

**In Argentina, crimes of a sexual nature are prosecuted when this is desired by the victim. In other words, the victim can decide not to prosecute when he or she feels that the procedure could cause him or her further suffering.** It needs to be considered whether this stance creates a contradiction by treating a crime against humanity as a crime against the person.

Indeed, in some cases, after recounting what they had endured, the surviving women refused to give their consent for perpetrators to be prosecuted. "May God punish them" was one of their responses.

Interrogation under torture (which would often lead to further abductions) always featured nudity. Physical torture often included electrocution of genitals and breasts. The resultant mental and physical pain was compounded with a series of other humiliations that women and even teenage girls were subjected to by their male captors: groping, lewd remarks, comments on the victim's sexual behaviour, obligation to shower and go to toilet in public, and so on.

In the various clandestine detention centres in the country, rapes were conducted in a systematic fashion, but with different characteristics. In La Cueva, Mar del Plata, an illegal detention centre

belonging to the Air Force and located in the city's airport, the numerous sexual assaults were committed by non-commissioned officers. Stolen property was reserved for officers and other senior personnel. At the Escuela de Mecànica de la Armada, an extermination and forced labour camp of the Argentine Navy, the power to sexually abuse female prisoners was reserved exclusively for officers. If non-commissioned officers were caught violating this rule, they could be punished. But in this centre, the group leader had given specific instructions to the officers to have "sexual relations" with the captives. From the sailors' point of view, ESMA was a "re-education centre" for guerrilla activists. The behaviour of the women was monitored. "Feminine" appearance, hairstyle, make-up, clothes, were considered as symptoms of "the recovery" of traditional female roles. Submission to the sexual demands of the sailors and the comrades of related repressive forces made it possible to obtain favours. Survival was at stake, as the vast majority of the abductees were liquidated after a few weeks or months of detention. Only a minority had a chance of survival if they passed a test related to their ability to perform certain maintenance or intellectual production tasks. Such tactics were sometimes also used under the Nazi regime.

Of the total number of disappearances, only a small number survived and testified. The information they provided was crucial for the judicial system. The cases that featured in the Junta trial were obtained from the statements made before CONADEP, a body created in the first months of democracy. But later, in the successive trials, the identification of the repressors by the survivors was the basis of several accusations that crystallised into convictions.

After the camps, the stigma attached to those who had managed to escape was differentiated according to gender. For men, they were suspected of having collaborated with the repressive forces by providing information, and therefore of being "traitors". But for the women, there was also the belief that in addition to having denounced their fellow soldiers, they had had sexual relations with their captors. And that this had been a voluntary act. Ana Longoni analyses this issue in her book *Traiciones*. All the disappeared were traitors, but the women were traitors and prostitutes.

The ex-disappeared often spoke with relatives of people who had not survived to tell them of the circumstances under which they had seen their loved ones. There was always a final question, with an accusatory look: "and you, why did you survive?" The reality is that there was no logical answer, due to the arbitrary decisions of the illegal repressive structure. **An ESMA survivor, Elisa Tokar, counter-argued, "Why do they ask us why we survived, but not ask them why they killed so many people?"**

Returning to the world was difficult for women leaving the camps. In exile, they were isolated because it was assumed that they had been in contact with the repressive forces. When someone disappeared in the barrios, the common refrain was: "there must be a reason, they must have done something". When they reappeared - even within the same human rights organisations that demanded in the anti-dictatorship marches "Aparición con Vida" - the phrase was the same: "something must have been done" to keep them alive. That "something", in their imagination, included consensual sex with the kidnappers.

**The impossibility of obtaining legal redress, until the crimes were considered crimes against humanity, silenced the victims.** But the stigma and suspicion caused them shame and troubled their conscience. In more conservative communities, this weighed heavily. The possibility of being exposed in front of their children also carried weight. Marta Candeloro, a survivor from La Cueva, said, twenty-five years after the fact, that she had been raped by the sub-officer Gregorio Molina. She did not report it earlier because she did not want to add to her son's trauma, including the assumption that the local newspaper would run a headline such as "Candeloro's wife was raped", referring to her husband, a well known disappeared lawyer. But when she finally testified, her son was an adult.

When female witnesses are older this has helped with recent revelations about sexual offences being made. It is more complicated for a sexually active young woman to disclose that she has been raped than it is for an older woman.

**Against all odds and taboos, the reality is that an increasing number of sex crime cases are being investigated by survivors.** Even high-ranking military officers have been convicted, despite them not committing the crime themselves. It is understood that they facilitated these crimes being committed by providing their men with vulnerable women.

However, many survivors are still coming to terms with the fact that they are indeed victims and that they did not consent. This is because sometimes no physical violence was necessary to commit the rape. There was no knife to the throat, no gun to the head. Not even blows. This is what confuses, what generates the cover-up and the silence. Prosecutor Pablo Parenti, who specialises in crimes against humanity, was clear when he said: "even if the victim says she was in love, it is not possible to talk about consent in a clandestine detention centre." This simple concept has not yet been grasped by everyone, and some may never understand it.

With the advent of feminism in Argentina, a theoretical framework has spread that emphasises, as anthropologist Rita Segato says, that the rapist is a great moraliser. He does not rape for pleasure, but to discipline his victim. And to fit into a fraternity of which he wants to be a part. The military rapists wanted to teach the captives how to be a good woman, and at the same time prove to their peers that they were macho enough to be part of this repressive fraternity. The

psychological scars left on the comrades of the raped young women (men who were used to protecting their women and reduced to helplessness by their enemies), could be the subject of another article.

But the question is how to interview women who have been through the hell of abuse, and to document their stories for a different purpose. Of course, there is no single methodology, and it may vary or need to become more flexible depending on the situation, but there are a few rules, which I have gleaned from my dual experience as a survivor and as a documentarian/journalist.

The first step is to ask each person if they prefer to be presented as victims or survivors, which says a lot about their subjectivity, about where they are at the time of the meeting. The second thing is to get into the historical context. There is nothing more demotivating for a victim than having to explain circumstances that should be known by the interviewer. This discourages them and makes them lose time for the crucial task of making their testimony or report.

Moreover, forty-five years have passed, many social, historical, political and even ethical rules have changed. It is not possible to interview someone from a current perspective. In some questionnaires, there is often an eagerness (sometimes implied, between the lines) to generate self-criticism among the victims for having participated in the armed struggle. It should be understood that the geopolitical situation has changed. Calling the past into question can generate discomfort among the interviewees, unless there is a desire or need for revisionism on their part.

The setting chosen for the meeting should be quiet and intimate. The place should be safe, quiet and familiar to the interviewee. It is not advisable to record or film the interview if it is not strictly necessary for the first meeting. It may be advisable to build up trust over a series of meetings before asking permission to record.

Patience is one of the keys. The road to obtaining a full testimony can be long, involving years of work. The impression that the interviewee is keeping facts or details to themselves should be a red flag. If they have revealed them in previous interviews, you can point this out to them. Sometimes this is simply an oversight resulting from the passage of time. At other times it may be part of a pendulum swing, where the person feels empowered to express themselves in a certain circumstance, but then regrets it, or becomes weaker. One solution may be to let some time pass and then get back in touch, or to send questions in written format.

It is obligatory to view and read court testimonies, graphic and audio-visual documents, where the victim has testified before the appointment. There is no doubt that prior knowledge makes the interview more fluid, with such efforts encouraging the interviewee to view the process more favourably.

If the interviewee is emotional, it is advisable to be there for him/her with silence and empathy. Asking if they want to stop the interview is a sign of empathy towards the memory of painful events. Attentive listening is fundamental, but if the distress worsens, it is advisable to suggest and offer professional help.

Explaining morbid details should not be encouraged as it may lead to re-victimisation. However, when the interviewee gives this information spontaneously, they should not be held back or interrupted, as this may be necessary for them to give an account of the cruelty they have suffered. For each person, reparation may have different characteristics.

Therefore, it is important not to hesitate to ask questions about problems and situations. Excluding certain questions may suggest that this is a sensitive topic that is best not talked about because it is embarrassing, encourages silence, reinforces the idea that there was something unacceptable in the survivors' behaviour, and that there is something that should not be revealed.

However, you should ask them at the end of the meeting if they want these details to be included in the publication, so that they can reflect on the consequences for their lives, especially if they are from a community with certain sets of prejudices. And if, before publishing the material, the victim has regrets and contacts us to withdraw permission to disclose or use the testimony, even if she has signed it, we should always listen to her complaint, after hearing her reasons and assessing their reasonableness. Emotionally charged questions and exposures are likely to generate unexpected and contradictory reactions. In other words, a person who seems firmly convinced of the need to give an interview may retract it for various reasons. And they all need to be respected.