MANUAL ON human rights MONITORING

Chapter 10

GATHERING AND VERIFYING INFORMATION



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HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

GATHERING AND VERIFYING INFORMATION






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A. Key concepts

- Effective human rights monitoring requires proper planning and an active, realistic and flexible approach to fact-finding. This implies identifying the human rights situations or incidents to pursue, devising an information collection plan, identifying relevant contacts and sources of information, using a variety of methods to gather information, recording and managing information effectively, verifying and assessing information thoroughly, determining the possible occurrence of human rights violations and attributing responsibility.
- To document a human rights problem or situation, human rights officers (HROs) should start by planning the information-gathering process. This includes identifying the key human rights information requirements, to ensure that no critical information is missed, and determining the appropriate approach to gathering such data. The information should include what happened, who perpetrated the act or is responsible for the situation, against whom, when, where, how and why, while applying an age and gender-sensitive lens, considering the general human rights context and adhering to core monitoring principles including "Do no harm".
- It is essential that HROs plan in advance how they will record and manage information to ensure functional, consistent and systematic documentation. This includes the safe handling and storage of sensitive information during the entire monitoring activity.
- Information that is collected must always be adequately verified, by obtaining corroborating information from other independent and reliable sources. To evaluate information, HROs need to consider its relevance and validity (or truthfulness). They must also assess the reliability and credibility of the source. Finally, HROs need to ensure the integrity of the process of collecting and analysing information.
- To establish the occurrence of human rights violations, HROs need to match the facts gathered with specific provisions of international law, make a determination on whether there has been a violation of such law, and attribute responsibility.

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B. Introduction

The principal objective of human rights monitoring is to **reinforce duty bearers' responsibility to protect human rights**, by drawing attention to areas where their action is required to prevent violations, protect human rights and provide redress. To accomplish this objective, human rights presences must adopt from the outset a comprehensive monitoring plan (see chapter on *Strategic planning for human rights impact*), and they must prioritize the human rights problems to be monitored in accordance with their mandate and a contextual analysis of the human rights situation.

High-quality information is essential to produce credible human rights reports, which form the basis of advocacy and other interventions with authorities (see chapter on *Advocacy and intervention with the national authorities*). Gathering the required human rights information entails considerable effort and an active approach. Accordingly, HROs need to employ carefully chosen techniques for collecting accurate, reliable and precise information to determine the occurrence of human rights violations and/or breaches of international humanitarian law (where applicable) and other relevant international legal norms, as well as determining the causes and who is responsible.

In some cases, it may not be possible to establish the facts of an alleged violation, or the initial information may prove to be wrong or to have been wrongly interpreted. In others, it will be possible to establish the occurrence of a violation and identify those with responsibility, even if an individual perpetrator cannot be identified. Sound methodology helps HROs in identifying information to be gathered, assessing its quality and accuracy, and determining whether or not violations, trends or patterns of violations took place.

HROs must be guided at all times by the basic principles of human rights monitoring (see chapter on *Basic principles of human rights monitoring*). In their monitoring activities, they should collaborate, as appropriate, with the work of national or international criminal justice institutions (while not interfering with their work). HROs must not endanger victims, witnesses or persons who provide information (see chapter on *Protection of victims, witness and other cooperating persons*).

This chapter explains the process of gathering, verifying and analysing information concerning cases and/or patterns of human rights violations and, more broadly, human rights concerns. It outlines the different types and sources of information, as well as the methods to be employed to gather, record and manage information in a way that is protective of victims, witnesses and other sources. It further offers guidance on the elements to be considered when assessing and analysing information to establish the occurrence of human rights violations and the related responsibility of alleged perpetrators.

C. The information-gathering process

Effective human rights monitoring requires a **proactive, creative and flexible approach to information gathering**, **verification and analysis**. This involves a number of steps:

- Devising an information collection plan with a solid risk assessment plan (section C)
- Identifying contacts and sources of information (section D)
- Collecting different types of information through a variety of methods (section E)
- Recording information effectively through a secure information management system (section F)
- Analysing and verifying information to establish the facts (section G)

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- Assessing whether the information gathered matches the legal elements of specific provisions of international law so as to determine the occurrence of violations (section H)
- Attributing responsibility for established violations to relevant entities (section H).

1 Information collection plan

Before engaging in monitoring a human rights incident or situation, HROs should establish an information collection plan to ensure that they gather information in a targeted, systematic and coordinated manner and that critical information is not missed. Establishing clear objectives, tasks and time frames is central to this process. Proper planning enables HROs to use available resources effectively to collect the most relevant information within a given time frame, especially when undertaking fact-finding regarding complex human rights incidents.

HROs should maintain a flexible attitude and should be ready to adapt and revise the information collection plan regularly according to new information leads, identification of other sources and gaps in information gathering, and possible changes of context.

In preparing an information collection plan, HROs should consider the following key questions:

a) What is the objective and scope of the information-gathering activity?

The point of departure in preparing an information collection plan is to set clearly the objective and scope of the information-gathering activity. HROs should determine the purpose and scope of the process and the levels of precision and detail required for the intended use of the information to be collected. For example, the objective of an investigation could be to determine whether the primary healthcare services available to a given Indigenous community meet the required standards of being available, accessible, acceptable and of good quality. Alternatively, the objective of an investigation could be to determine whether torture is an established practice to extract confessions from detainees in a particular detention facility.

b) What are the information requirements of the human rights problem to be investigated?

HROs should identify the information requirements of the specific human rights incident or problem to be monitored, i.e. the essential information they need to collect to determine whether an alleged violation is likely to have been committed. To do so, HROs should consider:

- What are the allegations to be investigated in relation to the human rights problem?
- What information, of what type and from what sources, is already available?
- What information needs to be gathered to confirm, amend or refute the initial allegations?

Information requirements are linked to the legal elements of specific violations alleged to have occurred, as defined by international human rights law. In situations of armed conflict, HROs have to identify the relevant elements of international humanitarian law (see chapter on the *Applicable international human rights and humanitarian law framework*).

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For example, to verify an allegation of forced eviction contrary to human rights law, HROs will have to gather information to show that at least one of the following elements has been substantiated:

- The eviction was not based on a justification set out in national law which is sufficient under international law;
- There has not been compliance with legal processes;
- Evictions have not been limited to exceptional circumstances;
- There has not been proper consultation with the affected individual or community;
- The persons affected have not been afforded due process, including the ability to challenge the legality of the eviction; or
- The eviction has otherwise been carried out in violation of international human rights law, for example if it was carried out in a discriminatory manner, or if it left people homeless or vulnerable to other human rights violations.

c) Where, and from whom, will the information be collected?

Defining the information requirements assists HROs to understand where to find information and who may be able to provide it. It is useful for HROs to map out who holds relevant information (individuals or institutions), the types of sources available (e.g. human, documentary, digital open sources, quantitative and qualitative data) and where information can be found (e.g. precise locations, sites to be visited, websites or social media) (see section D on "Mapping of contacts and sources of information" below).

d) How will information be collected?

The next step is to plan how information will be gathered. HROs can collect information using a variety of methods, such as interviewing, direct observation, research, review of documents (including reports by relevant United Nations bodies), site visits and open-source collection including the monitoring of social media. The choice of methods will depend largely on the type of information to be collected and its location, as well as on the time and resources available (see section E on "Methods of gathering information" below).

e) When will information be collected?

It is part of any planning process to assess which tasks or activities should be given priority over others. HROs need to determine the timing of collecting certain types of information. In some instances, it may be helpful to gather information from certain sources before approaching others. For example, it is good practice for HROs to obtain information from victims and witnesses before engaging with authorities to seek their version of the facts and assess their response. In other cases, the sequencing of information collection is dictated by the nature of the situation. For instance, the documentation of a State's systematic failure to appropriately investigate and prosecute gender-based violence may require monitoring multiple court cases over several years.

In some cases, delays in conducting certain activities, such as a visit to the site of a violation, may result in loss of information or of access to primary sources. In others, it may be preferable to delay such visits to ensure the safety of sources of information or to accommodate the needs of interviewees.

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f) Who will collect the information?

When allocating responsibilities for information gathering, HROs should consider and balance several aspects, including those likely to affect how the monitoring team is perceived, and considering, in particular, how best to develop relationships of trust with victims, witnesses and communities. This includes levels of expertise and capacity, language skills, sex, gender considerations, and overall knowledge of the political, social and cultural background. For example, a recently deployed international HRO who is unfamiliar with the local context of the country of operation may not be best placed to gather information from community or religious leaders or from Indigenous women, due to the HRO's lack of knowledge regarding local customs that could inhibit the sharing of information. National HROs may be better placed to carry out these tasks, alongside civil society partners who are well integrated in local communities. Conversely, there may be circumstances where international HROs must take the lead in sensitive monitoring (e.g. for protection reasons).

g) What equipment, tools and logistical support are needed?

Proper planning requires HROs to think about any equipment required for the information-gathering activity (e.g. smartphones, notebooks, spare pens, rulers, flashlights, OHCHR or UN vests, communication equipment, maps, audio recorders, digital communication applications, laptops, technology tools, software and related licences for open-source monitoring, digital preservation etc.), as well as logistical arrangements, such as organizing transportation and accommodation, the need for interpreters, or identifying secure venues for interviews.

HROs should be aware that they may not be allowed to carry or use certain equipment (such as smartphones or cameras) in restricted environments, such as prisons and other detention centres. Where appropriate, HROs should consult and obtain approval from the prison director, the officer in charge of a police holding cell or detention facility or other competent national authority prior to taking images in any detention facility or in a sensitive or restricted area (e.g. military barracks).

h) What are the possible constraints that may require contingency planning?

HROs need to think about any constraints or other factors that may arise during the monitoring activity, such as the worsening of the security situation, possible retaliations against interviewees and any mitigating measures that require to be taken, in consultation with security officers as relevant. HROs should assess possible risks to victims, witnesses, sources and others related to their information-gathering process by conducting regular risk assessments, and they should readjust their monitoring objectives and protection strategies based on this regular assessment (see chapter on *Protection of victims, witnesses and other cooperating persons* 📖).

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Example of an information collection plan

Title of the plan, for example: Information collection plan on the death of children at hospital x in year x

Objective: *explain the objective and scope of the information-gathering activity*

Information requirement	Type of information	Source	Collection method	Collection task	Equipment/ logistics	Contingency/ notes
Number of children who died in year x at hospital x	Reports of inspections by Ministry of Health, statistics, public morgue data	Ministry of Health, non-governmental organizations (NGOs) in the health sector, Health Workers Union, parents, morgue records	Confidential requests to sources, interviews, site visits	HRO 1 to complete by date x	Scanner/ camera if copies of images are not provided; suitable venue for interviews	How to record information if scanning/ copying of images not allowed; ensure safety of interviewees
Causes of death disaggregated by gender, age, origin	Hospital medical reports, autopsy reports	Health Workers Union, NGOs, hospital staff	Confidential requests to sources	HRO 2 to complete by x	Scanner/ camera if copies of images are not provided	N/A
General conditions at hospital x	Complaints lodged by health workers regarding conditions;	Health workers	Interviews	HRO 3 to complete by x	Camera to take photos of hospital areas; identify suitable venue for interviews	Ensure interviewees are not seen with HROs
	Media and social media	Local media, internet/social media	Media/ social media monitoring	HRO 1, by x	Laptop to access media/ social media sites	N/A

Further example of template for an information collection plan (simplified):

Information requirement (Topic/issue)	Source (Who has the information?)	Collection method (How?)	Collection task (By whom and when?)

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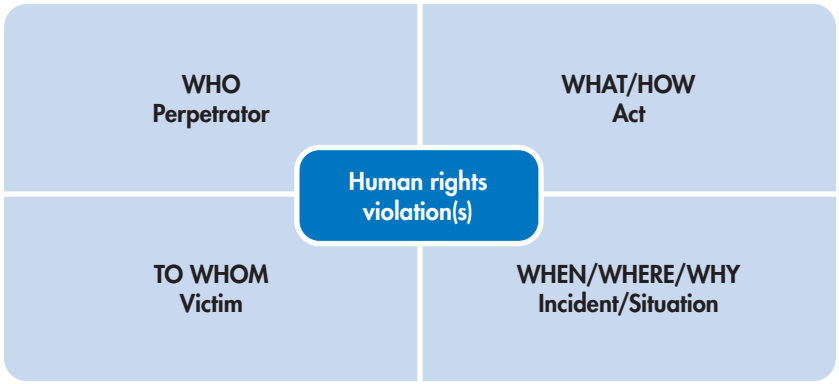
2 Information required to document human rights violations

The documentation of human rights violations starts during the information-gathering process. HROs must collect information that is as complete, precise and accurate as possible about the facts relating to an alleged human rights incident or problem so as to ascertain whether one or more violations occurred and to draw conclusions on violations, responsibilities and possible causes. This process consists of collecting information about who (the perpetrator[1]) committed what violations (acts) against whom (the victim).

The HROs' fact-finding activity should answer the following questions:

- Who did what to whom?
- When, where and why did it happen?
- How did it happen?

Establishing facts on human rights violations



In order to answer the above questions when investigating an incident or situation, HROs need to gather:

- Personal data[2] of the victim(s) or any witnesses, and other sources of information;
- Information about the alleged perpetrator(s), which/who may be an institution, an entity (e.g. a particular police unit), a person or a group of persons;
- Information about the incident, specifically the date, time and location of the event, as well as the context and circumstances in which it took place. When monitoring a situation that may constitute a human rights violation (e.g. discriminatory access to education for girls in rural areas), information will need to be collected on a broader basis (see further below).
- Detailed descriptions of the alleged violation(s). What happened to the victim(s) of an incident, who else was present, how were the acts committed, what was said during the commission of the acts, and what weapons/objects were used? Is there any description of or link to the alleged perpetrator(s)? In the case of an ongoing situation, HROs will need to collect data relating to all elements of the violation(s).

1 In this chapter, the term 'perpetrator' is used in a generic sense to refer to those who are responsible for violations.

2 Collecting and managing personal data is a sensitive activity. It is often governed by data protection laws that safeguard personal data and regulate their use by organizations within a country's jurisdiction. As organizations enjoying privileges and immunities, the United Nations and the Office of the United Nations High Commissioner for Human Rights (OHCHR) have their own policies and standards regulating these matters. See the Secretary-General's Bulletin on the data protection and privacy policy for the Secretariat of the United Nations (ST/SGB/2024/3).

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- Any additional information that may be related to the case (e.g. photographs, videos, copies of documents or certificates);
- Any official version of events according to the authorities regarding the incident or situation, and any corrective actions they may have undertaken.

Whenever possible, HROs should seek information to understand why an act was perpetrated by an individual or group against a specific victim or group of victims, potentially to detect a specific pattern of discrimination. To do this, HROs may need to examine the historical, economic, social, geographic or political context in which the incident occurred or in which the situation manifested itself (see chapter on *Gathering contextual information*). HROs may also need to collect broader information about the victim(s) to understand the scope of a violation: for example, that a female journalist was targeted for enforced disappearance because her taking on a public role was considered contrary to customary norms, or that a victim community primarily comprised members of a particular ethnic group who have historically been marginalized. In considering this broader perspective, HROs should assess an incident or situation in the context of other similar incidents, existing legislation, policies and practice to identify patterns of human rights violations, as well as their underlying causes. This can be instrumental to the development of intervention and advocacy strategies as well as programmatic responses to make a longer-term impact on the human rights situation.

Investigating a human rights situation, such as the arbitrary detention of asylum-seekers or a failure to properly guarantee minimum essential adherence to the right to adequate housing in policies addressing homelessness, will involve gathering similar types of information. However, HROs will need to gather detailed information on relevant systems (laws, programmes, policies and budgets), on the impact of such systems (including differential impacts, and in relation to the use of available statistical information), and on the institutions involved in maintaining such systems. Quantitative and qualitative data may be useful. Individual case studies may still be useful to highlight the impact of policies.

3 Integrating a gendered and intersectional approach in the information-gathering process[3]

Human rights violations affect women, men, girls, boys and gender-diverse individuals (including intersex and transgender persons) in different ways. Violations that affect women and girls are often underreported, including by human rights presences. To ensure that these violations are better documented and addressed, HROs need to proactively integrate a gender and intersectional dimension at all stages of the monitoring cycle to understand how gender and other aspects of people's identity and circumstances may result in different types of harm. Such aspects include ethnicity, disability and displacement.

HROs should not assume that certain violations only affect women and girls or that men and boys are not affected by human rights concerns that may be specific to their situation. They should examine their own gender bias and related assumptions, as this can impact on the selection of violations and the selection and assessment of sources and their findings. For example, increased attention to the problem of sexual violence against women and girls can lead HROs to assume that it only affects females, while men, boys and gender-diverse individuals can also be victims.

3 See chapter on *Integrating gender into human rights monitoring*.

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The circumstances in which human rights violations occur, and their consequences, can be – but are not always – gender specific. With regard to information gathering, gender integration and intersectional analysis may translate into a number of concrete actions, as illustrated below.

- Contextual information can be analysed to build a picture of the situation of women, men, girls, boys and others in a society, and this can enable HROs to assess which violations may affect one or more of these groups predominantly or differently. A useful starting point for HROs is to analyse national legislation to identify areas of discrimination against women and to collect statistics disaggregated by gender and other grounds, where available (see chapter on *Gathering contextual information* 📖).
- When gathering information about specific violations, HROs should, as a minimum, collect data that are gender- and age-disaggregated, and potentially disaggregated according to other parameters that can help identify possible discriminatory practices and how they intersect with each other (e.g. disability, religion, political affiliation, ethnic origin, migrant status, sexual orientation and gender identity). OHCHR presences should systematically request such disaggregated data from national authorities, institutions and other sources of information.
- During information gathering, HROs should address and record violations against the rights of women and girls as well as those affecting men, boys and gender-diverse persons. HROs need to probe the methods they use for collecting information and assess whether they may have overlooked cases affecting women or girls in particular. The absence of information about violations perpetrated against women or girls does not necessarily mean that they are not affected by particular human rights problems. In particular, relevant information may be more difficult to access where women's rights are violated in the private sphere. Depending on the focus of the monitoring, HROs should also gather information on violations affecting specific groups (e.g. migrant women, persons with intellectual disabilities and displaced women and girls).
- When interviewing victims, witnesses and other sources, HROs should speak to women as well as men and individuals who may experience compounding forms of harm (e.g. displaced women and girls or transgender persons with disabilities). In male-dominated societies where women have less prominent public roles, HROs should strive to reach out to women directly, rather than receiving information about their experiences from men. In such contexts, it is often the case that the spokespersons of communities, institutions or local organizations, as well as the majority of a presence's contacts, are men. HROs should therefore develop a gender-balanced network by actively building contacts with women human rights defenders, women's organizations, female government officials (e.g. members of parliament or police officers), female legal professionals, midwives and nurses, and other female contacts in all areas of the country. To expand their contact base, HROs can identify influential women or those who can introduce them to other women in a community. HROs should take a similar proactive approach to develop a network of sources that can provide information allowing for intersectional analysis.

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Guatemala

When monitoring the labour rights of agricultural workers, the Office of the United Nations High Commissioner for Human Rights in Guatemala (OHCHR-Guatemala) enquired specifically into the situation of women workers. When HROs liaised with community and union leaders to schedule interviews with agricultural workers, it emerged that these leaders had arranged interviews exclusively with male workers, whose information did not illustrate the situation of female workers. HROs had to explain to these leaders the importance of conducting interviews directly with women in order to obtain their perspective. After much insistence, the HROs managed to gain access to female workers in order to speak to them. It was only through interviews with women that HROs were able to gather the information that women were paid less than male workers for similar tasks, and that, during the coffee and palm oil harvests, women were required by employers to help their husbands in their tasks without receiving any payment.

- Building up contacts with women and men is often easier if human rights monitoring teams comprise both women and men and are diverse in other respects. HROs should carefully consider the specific context to determine whether a male or female HRO is best placed to collect information, in particular when conducting interviews. For example, women may be more willing to report certain human rights violations, such as sexual violence, to a female HRO – although the opposite may also be true. In some communities, HROs will need to find creative ways of interviewing women who would otherwise not be allowed to speak to strangers on their own. In some cases, speaking first with their husbands, fathers, or other males in the family to explain the need for the women to interact privately with an HRO can be an effective way to obtain a confidential interview in a socially acceptable manner (see chapter on *Interviewing*).

D. Mapping of contacts and sources of information

HROs usually gather different types of information from a variety of sources, although it is very unlikely that they will come across all existing sources related to a specific human rights problem or incident. It is essential to think creatively about the types and sources of information that may be available – human, documentary, digital or other – in order to be successful in conducting human rights monitoring work.

1 Establishing a network of contacts

From the initial establishment of a human rights presence, or at the beginning of a monitoring or investigative activity, HROs have to develop a broad-based network of contacts to keep abreast of developments in the human rights situation in their area of responsibility (see chapter on *Gathering contextual information*). This implies maintaining regular contact, for example through regular phone calls, meetings or visits with persons who may possess information on human rights problems or issues. These sources may include human rights defenders, community or religious leaders, national authorities, lawyers, journalists and other professionals, academics, gender and other experts, and international actors. When documenting a particular human rights problem, HROs may need to revisit and expand their contact base beyond traditional sources of information, as these may not





provide adequate information on violations against individuals and groups affected by discrimination or exclusion, such as LGBTIQ+ or minority groups. HROs may also reach out to actors in the private sector (such as business representatives), where relevant, for example when assessing the social and environmental impact of large-scale development projects on the human rights of specific communities.

It is good practice for OHCHR presences to map key national and international actors who are affected by, or who can influence, the human rights problem or incident under inquiry in order to identify potential suitable solutions (see chapter on *Analysis*).

Secure contact management is crucial to maintain efficient relationships and ensure their continuity despite the turnover of HROs in a human rights presence or in ad hoc investigation teams. Incoming HROs should have access to contact lists established by their predecessors and should be in a position to continue their engagement professionally and consistently.

2 Primary and secondary sources

Human sources of information can be classified as primary or secondary, depending on their exposure and proximity to the acts constituting a human rights problem or incident.

a) Primary sources are those who can provide first-hand information about a human rights incident or problem as a result of their direct exposure, experience and personal knowledge of the act while it was occurring. They typically include victims of violations, witnesses and alleged perpetrators. Witnesses with disabilities such as a visual or hearing impairment may experience the incident in different ways. HROs who were present while an incident unfolded and directly observed it (e.g. at a demonstration where security forces used excessive force), or where an act occurred (e.g. at the location where a forced eviction of slum dwellers took place) can also be considered as a primary source.
b) Secondary sources are those who have second-hand information about a human rights incident or problem (i.e. information that was reported to them by others) but who did not directly witness or experience it. They can also provide contextual information.

Note that the same source might be a primary source in relation to some information and a secondary source for other information. For example, a journalist may be a primary source, having been present at a demonstration and having observed the excessive use of force there, and a secondary source in relation to accounts that were shared subsequently.

When gathering information from an individual, HROs should assess whether or not the person has direct knowledge of a human rights incident, so as to establish whether that person is a primary or secondary source. For instance, HROs should ask interviewees how they came to know about the information they are providing: "How do you know about this?" "Where were you when the situation you have just described occurred?" "What did you see/hear?" This assessment is necessary, since it has a bearing on the weight that HROs will attribute to the information. Such questions should be asked sensitively, ensuring that the individual has a clear understanding of the mandate of OHCHR, how the information may be used, and why the HRO needs to understand this.

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Tunisia

In the course of an investigation concerning human rights during the conflict in Libya, HROs interviewed refugees in Tunisia and obtained several statements concerning violations. Only after asking interviewees "How do you know?" and asking them to give more details about incidents did HROs establish that interviewees were relaying hearsay and rumours without direct knowledge or experience of concrete incidents and related information – nor were they able to indicate the original or initial source of these allegations.

Ideally, HROs should, as a priority, collect detailed information from primary sources. Primary sources can generally be more accurate than secondary sources in light of their first-hand experience, and HROs can ask them follow-up questions. However, several elements need to be taken into account when assessing information from any source, such as a person's possible bias (see section G on "Assessment of sources and information" below) or trauma experience (see chapter on *Trauma and self-care*). In relation to trauma, respecting the "Do no harm" principle and related safeguards prevails over the need to gather information that sources may be willing to share.

In addition to the accounts of victims and witnesses, alleged perpetrators can be a rich source of insider information that is often difficult to access.[4] They often provide considerable information publicly, through the media and social media, sometimes for the purposes of propaganda. In some instances, alleged perpetrators may be willing to disclose information about violations committed by others in their groups because they disagree with such actions, or to avoid blame. They may also be willing to provide information on the hierarchy and command structure of the entities involved in violations, and even to provide documents or other materials (such as videos or internal reports) to corroborate their stories. HROs should carefully assess such information and the potential motivations behind its being passed to them. They should be cautious about the alleged perpetrator misleading the investigation and diverting attention away from the situation or incidents being investigated. As with information provided by others, HROs should find other sources to corroborate the information.

Libya

The International Commission of Inquiry on Libya interviewed several senior officials of the Qadhafi regime who were in custody and who provided information on specific incidents, on different entities in the security forces and on their command structures. Some officials also corroborated information gathered from victims and witnesses.

4 See OHCHR, *Who's Responsible? Attributing Individual Responsibility for Violations of International Human Rights and Humanitarian Law in United Nations Commissions of Inquiry, Fact-Finding Missions and Other Investigations* (New York and Geneva, 2018).

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In practice, it is not always possible for HROs to identify and obtain information from primary sources, such as when access to victims in a location or country is impeded due to the security situation or lack of collaboration from authorities. HROs may decide that it is preferable not to interview the victim or witness directly if this could result in a risk of harm for the victims and/or HROs. For example, HROs may decide to interview service providers supporting survivors of human trafficking rather than the survivors themselves, to avoid risks of retraumatizing the survivors, as well as security risks for HROs. Similarly, HROs may decide not to interview certain detainees due to a risk of retaliation by security guards (see chapter on *Protection of victims, witnesses and other cooperating persons* 🕮). The selection of primary sources, particularly victims, is linked to the planning stage. Proper planning ensures that unnecessary interviews with sources who may face security risks or a risk of retraumatization are not conducted, for example if the information is unlikely to be used strategically, thus upholding an ethical and principled approach to monitoring.

Secondary sources can provide valuable information. In each country of operation of a presence or investigation team, a variety of national and international organizations are typically collecting similar information to that which HROs set out to collect. In many instances, the initial allegations that HROs receive come from secondary sources – such as when a human rights organization or a newspaper reports facts narrated to it by victims or witnesses of an incident. Such information can be a valuable lead for HROs, not only in identifying and locating primary sources and additional secondary sources, but also in forming an initial picture of the human rights incident or problem. Generally, the closer the secondary source is to the original source (e.g. a close friend or relative of the victim), the more valuable the information is likely to be. HROs should treat with caution information on social media that may have been shared multiple times. In some instances, the information may still provide valuable leads, while in other situations such information may be deliberately misrepresented or misinterpreted, and may be false or misleading.

Information from primary and secondary sources must be evaluated carefully and must be verified by obtaining supporting information from other independent sources before HROs act upon it or report it.

E. Methods of gathering information

HROs have a range of methods at their disposal to collect information about alleged violations, establish the facts and identify responsibilities. These include:

1. Interviewing;
2. Surveys and focus group discussions;
3. Collecting documentary information;
4. Analysing photographs, videos and satellite imagery;
5. Visiting sites of human rights incidents;
6. Obtaining expert opinion and analysis;
7. Monitoring and observing events through their presence on the ground;
8. Researching and reviewing publicly available information; and
9. Remote monitoring.

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HROs should choose methods that match the circumstances of the human rights problem that they are monitoring and their ability to access sources of information, among other factors. For example, if a State is allegedly denying certain individuals or groups access to security of tenure of land based on a law with a discriminatory impact, an analysis of the law and its compliance with international human rights standards may be an appropriate method to establish with a reasonable degree of certainty that the violation has occurred. If, for instance, the focus is on the extent to which a national budget shows compliance with the right to health or education, research may be needed on available data reflecting the impact of budgetary decisions and budget implementation on the realization of these rights, in combination with targeted information-gathering activities.

Other types of problems, such as the alleged excessive use of force by police during a demonstration in a distant location, may require greater planning and the use of a wide range of methods, including researching and developing new contacts, interviewing victims and witnesses of violations, journalists, medical personnel and State officials, reviewing video footage and photographs of the incident(s) and visiting the site of the demonstration.

In urgent situations, where a timely intervention with authorities could stop ongoing violations or prevent new ones, a presence's response may need to be quicker and less circumspect. For example, if a presence has reasons to believe that a person has been subjected to enforced disappearance, it may approach relevant authorities without further verification to seek information on the person's whereabouts, as this may protect the person's life or physical integrity.

Once HROs have established the main facts about a human rights problem or incident through information gathered from a variety of sources, they should approach national authorities to seek their views and their version of the facts. Depending on the authorities' response, HROs may need to take additional steps to collect further information and discuss corrective measures and other follow-up actions (see chapter on *Engagement with national authorities and institutions*).

1 Interviewing

As interviewing is one of the most common methods of gathering information, a separate chapter of this *Manual* is entirely dedicated to this subject (see chapter on *Interviewing*). Information gathered through interviews may include narratives by victims and witnesses of alleged violation incidents, as well as information provided by other sources possessing contextual or specific second-hand information.

HROs should devote sufficient time to planning and preparing for interviews and should take all necessary precautionary measures to ensure they do not put anyone at risk of harm, including themselves. HROs should adopt a trauma-informed perspective in conducting interviews, including by showing respect to victims, engaging empathetically and empowering victims to fully participate in the interviews. Open-ended questions should be used to inquire about what can be recalled (e.g. "What can you remember about…").[5] Having a different HRO reinterview the same person should be avoided, as it may trigger harm. When conducting interviews, HROs must always obtain the informed consent of the interviewee to use and/or share the information they provide (see chapter on *Interviewing*).

5 See further the chapter on *Trauma and self-care*.

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When interviewing persons remotely,[6] pre-interview planning will include selecting the most appropriate device and application to conduct the interview, ensuring a good internet or telephone connection, arranging for the presence of an interpreter, if required, at the location of the interviewer or interviewee, or in a third location, and identifying priority questions in the event the interview is interrupted by connection issues. Further guidance on remote interviews is detailed later in this chapter (see section E.9 on "Remote monitoring"). During the interview, key considerations include providing the means for the HROs to authenticate themselves (for example by showing an official card with credentials when turning on the video), to build a rapport and to assess the reliability and credibility of the interviewee. Conducting interviews remotely, in particular by audio rather than video, provides the interviewer with fewer "clues" about what is happening or about the state or mood of the interviewee than an in-person interview. It might also be particularly difficult for an interviewer to identify and respond to signs of retraumatization during remote interviews.

Remote interviews leave digital footprints and traces that may have security implications, especially for the interviewees. This includes pre-interview text messages, saved phone numbers and metadata of the calls. In some cases, connectivity difficulties mean that HROs may ask questions and receive answers via text messages, generating digital content that must be protected. Mitigating measures include the use of secure information and communications technology (ICT) applications with a disappearing messages function (such as Signal), and asking interviewees to regularly erase content and metadata from their devices, while HROs should also erase messages after having prepared and securely stored interview notes. It is important to recall that ICT risks and relevant tools and security measures are often context specific. HROs should always check what is most appropriate and more secure in the context where they are operating (see section E.9 on "Remote monitoring").

2 Surveys and focus group discussions

Surveys can be a useful information-gathering method to reach out to larger numbers of interlocutors and rights holders than would be possible through individual interviews alone. OHCHR can carry out surveys in partnership with other organizations that may have a broader reach, such as national human rights institutions and civil society organizations. When developing and managing surveys and related data, HROs should pay attention to the accessibility of the survey, security considerations about the ICT platforms used for online surveys, and data protection. HROs should formulate questions in a way that elicits information without expecting long narrative answers that respondents are unlikely to provide.

Focus group discussions are a valuable qualitative method for gathering information, as they enable collective reflection and dialogue among participants who share certain experiences or perspectives. They are useful for exploring perceptions, attitudes and community dynamics related to human rights issues, identifying patterns of discrimination and barriers to the realization of rights. They can also assist with gaining an understanding of the social and cultural context. However, focus group discussions are not appropriate for collecting sensitive experiences or personal information, as confidentiality, safety and psychological well-being could be compromised. Instead, such topics are best explored through confidential individual interviews.

6 See also the further discussion of remote monitoring in section E.9 of this chapter.

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3 Collecting documentary information

Various documents can help HROs establish the facts surrounding alleged violations and corroborate accounts provided by victims, witnesses and other sources through interviews. Documentary information may include:

- Official documents, including official press statements and public speeches by authorities, records kept by perpetrators, court records, medical and autopsy reports, military personnel records, police reports, official statistics or population census data; and
- Other written documents, such as letters and other correspondence, invoices, and reports by non-governmental organizations (NGOs), private businesses and human rights defenders.

Generally, the closer to the time of the incident the documentary information is recorded, the more valid it is likely to be. As part of the information-gathering process, HROs should list in the information collection plan relevant documents they believe are available, who possesses them, and where they are likely to be found.

It is good practice for HROs to ask interviewees whether they have taken or possess any documents, photographs or videos relating to the incident under investigation. However, **HROs should never collect original documents or materials**; they should copy or photograph them instead, with the owner's permission, and record them appropriately (see section F on "Management of information" below). In some cases, witnesses and victims may be quite insistent in wishing to hand over an original certificate or other original documents to an HRO in the hope that this will enhance their accountability or other protection outcomes. In such cases, HROs should take the time to clearly explain that copies or pictures of these documents are enough for what OHCHR can do and advocate for, and that handing over original documents will not increase protection outcomes and may be counterproductive. It is only in very exceptional circumstances that HROs might collect original documentation, for instance if there is a risk that the material may otherwise be destroyed or irretrievably lost. In such cases, it is vital that HROs only take such action in close coordination with a senior HRO, and that there is proper recording, handling, transport and storage of the material to maintain the "chain of custody" (see further section E.10 on "Sharing information with criminal investigations").

4 Analysing photographs, videos and satellite imagery

With the ubiquitous availability of mobile devices with cameras, individuals around the globe are capturing high-quality images and videos of incidents. Many videos, for example from the conflicts in Syria, Ukraine and Gaza, have been uploaded to public sites such as YouTube, and videos and photographs are shared on social networking sites such as Telegram, Facebook and Instagram or through mobile communication applications such as WhatsApp. Community activists share such material and provide comments on the events they are witnessing through their Facebook or Instagram pages, sharing images and videos via X and other social media platforms.

HROs may be able to conduct a preliminary examination of open-source images or videos to establish their provenance or authenticity.[7] For example, a reverse image search will indicate if the same image has appeared elsewhere on the internet, if it is related to a specific situation, or if it has been

7 For a detailed guide to online digital investigations, see OHCHR and the Human Rights Center at the University of California, Berkeley, School of Law, *Berkeley Protocol on Digital Open Source Investigations* (New York and Geneva, 2022).

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misrepresented as a different situation. Similarly, online tools can help to assess if an image has been altered or has metadata (e.g. the date, time or equipment used). However, when images are uploaded to social media sites, the metadata is stripped. There are techniques to geolocate the site depicted in the image or video, by observing key characteristics in the content (such as prominent buildings, street names or geographic features) that can identify a location, comparing it with images available online and via tools such as Google Earth Pro.

HROs with the relevant technical expertise can use some of these techniques themselves. Otherwise, expert analysis may be required for this verification work.

HROs should be conscious of the fact that online material may be removed from the internet at any time. In that case, while some material may still be available through the use of online archiving tools, HROs should take action to preserve against the loss of important information or relevant material. In particular, digital materials should be preserved when they have particular significance to an investigation, or when they may have evidentiary value for future accountability processes (see section F on "Management of information" below).

HROs may not be able to verify all aspects of such images and photographs, and they should therefore not rely exclusively on them. However, the material may provide interesting leads and constitute useful supporting or corroborating documentation.

Palestine

OHCHR-Palestine, in its update reports on the human rights situation in Gaza, made use of video material published by Palestinian armed group members engaged in attacks, showing that such armed groups had committed serious violations of international law on a wide scale, including attacks directed against civilians, killing and mistreatment of civilians, destruction of civilian objects and taking of hostages.[8]

Satellite images can lend considerable support to monitoring by providing information on what existed on the ground during the occurrence of a specific human rights incident. While satellite images may not be able to show how an actual incident unfolded, they provide important contextual information. A comparative analysis of "before" and "after" images could provide information on, for example, the extent of the damage inflicted in an attack, the presence of the perpetrators and the types of vehicles in the area. Expert analysis of satellite imagery might also lead to the identification of the weaponry used in an attack, and, in conjunction with information about who has access to such weaponry, may lead to identification of the likely responsible party. This information from an independent and impartial source could provide corroboration for victim and witness statements and may allow HROs to challenge the version presented by the authorities and other duty bearers.

8 OHCHR, "Six-month update report on the human rights situation in Gaza: 1 November 2023 to 30 April 2024", 8 November 2024.

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Sudan

In the course of undertaking a monitoring mission in the context of armed hostilities between the Sudanese Armed Forces and the Rapid Support Forces, OHCHR-Sudan was able to use satellite imagery provided by the United Nations Satellite Centre (UNOSAT) to great advantage:

> "Accounts of large-scale damage to homes and property were consistent with analysis of visual evidence from satellite images of the city of El Geneina on 17 May and 25 June 2023, which estimate the destruction or heavy damage of more than 19,000 structures, particularly in southern and western parts of El Geneina. Information indicating that houses and other property being set on fire were also consistent with analysis provided to OHCHR-Sudan by using satellites that confirmed a total of 34 fire detections occurring in various areas of El Geneina beginning on 25 April, the day after attacks on southern residential neighbourhoods started, and continuing on 3 May through 18 June 2023."[9]

Mali

In a fact-finding mission investigating the killing of several hundred civilians during a military air and land operation in Moura, central Mali, the Human Rights and Protection Division of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) obtained and used satellite imagery of mass graves, the movement of forces, the landing locations of helicopters and the places of commission of sexual violence. This satellite imagery was used in conjunction with information from direct witnesses and internally displaced persons from Moura.[10]

Satellite imagery may also be of use in other types of investigations to assess and demonstrate environmental degradation over a period, which may have affected rights such as those to a healthy environment, life, health and an adequate standard of living.

5 Visiting sites of human rights incidents

Investigation of sites where human rights violations have taken place constitutes a valuable method of gathering information about events of interest. In fact, through observation and examination of the spatial properties of a site and of any physical object or trace of material present at the scene, HROs can better understand what happened and can uncover new information. When visiting places of detention, for instance, HROs may identify violations that had not previously been reported, such as the failure to separate children from adults in detention, solitary confinement, or detentions of persons based on disability.

9 OHCHR, "Findings of the monitoring mission by OHCHR Sudan to the Chadian border with Sudan from 17 June until 1 July 2023, in the context of the armed hostilities between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF)", 25 November 2024, para. 29.

10 OHCHR, "Report on the events in Moura from 27 to 31 March 2022", 12 May 2023, para. 13 and annexes.

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Guatemala

OHCHR-Guatemala produced a report on the forced eviction of 13 Indigenous communities (composed of 732 families) that took place in the Polochic Valley following the acquisition of a large portion of land by a sugar refinery. To document these acts, HROs carried out six monitoring missions to the Polochic Valley and conducted interviews with various national and local authorities, members of affected communities, civil society organizations, the directors of the refinery and of the bank that granted the loan to acquire the land, and other actors. Male and female representatives of each of the affected communities also completed questionnaires prepared by OHCHR. In addition, HROs consulted legal experts and anthropologists. During their visits, HROs noted their observations of the areas from which the communities were evicted and the conditions in their locations of displacement.

Site visits can be a useful method of testing information gathered through interviews. For example, HROs can assess whether the descriptions provided by victims or witnesses match what they observe. If there is a difference, it does not necessarily mean that the person lied, rather that the HRO still needs to find additional information. There may be a good reason for inconsistencies between what HROs observe at the site and the interviewee's account. For example, new buildings may have been constructed or trees chopped down since the time the person was last at the site. Traumatic experiences can affect memory and the way we recall (or do not recall) events (see chapter on *Trauma and self-care*).

HROs should carefully plan such visits and assess the benefit of visiting the scene of a human rights incident. Any visit should not cause harm to victims, witnesses or other sources, or to HROs themselves. In case of doubt as to the risks posed by a site visit, HROs should seek advice from their supervisors and discuss alternative methods for information gathering, as well as precautions to be taken for risk mitigation if appropriate. HROs can corroborate the description of locations via online tools such as Google Earth Pro or Google Maps. In situations of alleged excessive use of force during demonstrations, for instance, the accounts of witnesses may explain where the demonstration took place and where the use of force occurred. Checking the accuracy of where a rally took place on an online tool is a way of corroborating information about location, which in turn adds credibility to the source.

Wherever possible, HROs should collect all available information about an alleged incident before undertaking site visits, so as to better know what information to look for during the visit. When evaluating information from sites, HROs should take into account the amount of time that has lapsed between an incident and the site visit, as the scene may have altered in the interim.

HROs should conduct a detailed examination of the site and document its key features as accurately as possible, by taking photographs and recording videos, drawing maps or sketches, and taking detailed notes of their observations, without disturbing the scene.

As a general rule, HROs do not collect or remove physical objects from the scene of an incident (such as documents, weapons, bullet casings, military equipment or a victim's personal effects) because they may constitute evidence in criminal proceedings, among other reasons. HROs should instead record these physical objects in detail through photographs, videos, drawings and sketches of the location

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where the objects were found. If HROs discover information or material that may be relevant to criminal proceedings, they should, if appropriate, inform the relevant authorities as soon as possible and advise the community or local population to preserve the scene until the arrival of the authorities.

Community organizations or leaders may request HROs to examine suspected burial sites or mass graves. HROs should note the exact location of the sites according to the global positioning system (GPS), they should take photographs and videos and they should record any identifying features (e.g. mounds of disturbed earth or uprooted vegetation). Exhumation of such sites should be left to archaeological and other forensic experts. There have been occasions when presences have needed to engage in specific advocacy to ensure that exhumations are carried out with proper expertise, that controls are put in place around the area and that exhumed material is treated in accordance with protocols to ensure that evidence is not contaminated or destroyed. HROs may also need to advocate in relation to the interests of victims. Where HROs may be present during the exhumation of human remains, or at other forensic examinations, they should, wherever possible, obtain the informed consent of the victim's family, and they should ensure respect for their privacy and dignity.

South Sudan

As part of the monitoring of human rights violations that was conducted during the conflict in the country, the human rights component of the United Nations Mission in South Sudan (UNMISS) conducted visits to more than 23 villages and sites in the Yei and Lobonok areas in Central Equatoria and interviewed more than 200 individuals, including victims and eyewitnesses. HROs also gathered and analysed corroborating information from other sources to substantiate the findings of the investigation. These sources included local and national administrative authorities, religious leaders, humanitarian actors and service providers operating in the affected areas. After documents and photographs were examined and verified, UNMISS recorded the findings and conclusions of the investigations in a public report.

HROs should visit sites where human rights violations are likely to occur on a regular basis, such as prisons and other detention centres, or camps for refugees or internally displaced persons. This enables them to obtain information early on and to take preventive action where possible (see chapters on *Visiting places of detention* and on *Monitoring and protecting human rights in the context of migration*).

6 Obtaining expert opinion and analysis

HROs may need to seek expert opinions to examine and analyse certain information they have gathered. Depending on the possible violations at stake, many fields of expertise may be relevant. When investigating alleged killings and torture, for instance, a forensic pathologist could examine pictures of injuries sustained by the victims to assess if they are consistent with the allegations they reported. In the context of ongoing hostilities, military experts could offer specialized expertise in identifying weaponry and could analyse satellite imagery to determine the means of attack most likely to have been employed given the damage documented. Financial investigators could offer their expertise to assist in interpreting facts relevant to human rights violations, by analysing financial data and

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transactions related to the use of public resources. It may be helpful if economists conduct an analysis of State budget allocations and expenditures to investigate the realization of economic, social and cultural rights or access to justice by a State. Some presences may be able to call upon expertise within components of their peacekeeping mission (e.g. the United Nations police, the medical component or military observers) or among members of the country team (e.g. experts within specialized United Nations agencies). Alternatively, presences could access such expertise by contacting specialized organizations or by seeking headquarters' support to identify them.

Experts may be a source of data themselves. For example, when assessing the impact of extractive industries on the rights to health, food and water of Indigenous communities, HROs could rely on specialized assessments prepared by expert research institutes or universities. Nutritionists and medical experts could reinforce human rights analysis on the effects of limited availability of food on the health of individuals and groups. HROs may also interview experts to gain their opinions of relevant matters, such as the context of or enabling factors for violations, as well as their views on means to mitigate and prevent violations in the future.

Palestine

OHCHR-Palestine investigated allegations of indiscriminate and disproportionate attacks during the conflict in Gaza, in particular regarding Israel's use of explosive weapons with wide-area effects in densely populated areas. Information on six emblematic cases was gathered from multiple independent sources. Analysis of the information involved legal and weapons expertise. This made it possible to draw conclusions as to the type of weaponry used in particular attacks and, by extension, to attribute responsibility for the attacks to Israeli security forces.[11]

Sri Lanka

The OHCHR investigation on Sri Lanka received images of dead fighters of an armed group, with allegations that the dark colouration of their abdomens showed that they had been poisoned. When a medical forensic expert examined the images, he explained that the discolouration of the skin was caused after death due to the gravitational concentration of blood.

11 OHCHR, "Thematic report: indiscriminate and disproportionate attacks during the conflict in Gaza (October – December 2023)", 19 June 2024, pp. 3 and 6.

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Ukraine

The human rights monitoring mission in Ukraine consulted with experts in the context of its investigation of attacks on energy infrastructure in Ukraine. Experts were able to assist the mission to understand the practical implications of the reduced electricity supply – e.g. that the predicted deficit of 3 to 6 GW during peak hours would equate to winter power outages of between 4 and 18 hours a day. Technical experts also provided advice on how the most serious impact on civilians could be moderated if the power outages were limited to a few hours on a scheduled basis.[12]

Bolivarian Republic of Venezuela

OHCHR interviewed experts in the course of investigating violations of the right to food. The Office had noted that deep economic recession, hyperinflation and the loss of purchasing power, together with the dismantling of the domestic food production system and the dependency on food imports, had created a vicious cycle that had affected the right to food for most Venezuelans. According to experts interviewed, the crisis situation was caused by a combination of economic and social policies implemented by the Government over the previous decade, including State control over food prices and foreign currency exchange, the mismanagement of confiscated arable land, a State monopoly on agricultural supplies, the militarization of food distribution, and the implementation of social programmes without clear nutritional objectives.[13]

7 Monitoring and observing events through presence on the ground

Direct monitoring or observation by HROs of events while they unfold, such as during demonstrations, trials, forced evictions or elections, is another means of gathering valuable first-hand information about human rights violations (see chapters on *Trial observation and monitoring the administration of justice* and *Monitoring human rights in the context of demonstrations and public meetings*).

HROs should take pictures or videos, as relevant and if possible, as well as taking detailed notes of their observations during monitoring or as soon as possible after the monitoring activity. This will ensure that they record the information accurately and comprehensively. In such situations, HROs should plan in advance, and coordinate with security personnel, their monitoring of events which could result in the commission of human rights violations, to ensure that they do not expose themselves or anyone else to risks of harm. When conducting this in-presence monitoring, HROs should wear appropriate attire and/or carry the appropriate documentation to show their United Nations affiliation.

12 OHCHR, "Attacks on Ukraine's energy infrastructure: harm to the civilian population", September 2024, pp. 2 and 6.

13 OHCHR, "Human rights violations in the Bolivarian Republic of Venezuela: a downward spiral with no end in sight", June 2018, pp. 45–46.

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Guatemala

OHCHR-Guatemala, together with the country's national human rights institution, monitored the police's forced removal from a public road of members of a dozen rural communities, who had been blocking the entrance of a site for more than two years so as to impede construction work for a mining project. The communities were concerned about the negative impact that the mine would have on the environment and their access to water. During the operation, police used tear gas to disperse the people, who included women and children. The presence of HROs during the operation helped to minimize the use of force by the police, who refrained from using firearms to disperse the crowd. In addition, photographs taken by HROs during the operation were later used to demonstrate that the community members did not constitute a threat. This was publicly denounced by some authorities after the event.

8 Reviewing open-source and publicly available information

HROs should maintain an overview of existing and new publicly available information relevant to the human rights problem or incident they are monitoring, such as recent legislation, human rights reports and academic research papers. They should also regularly review information published in the media (local radio stations, television or newspapers) as well as information produced by government and non-governmental sources (including websites of government institutions and NGOs, social media, blogs of armed opposition groups, and content produced by individuals via online video channels etc.) in order to keep abreast of relevant human rights developments, events and incidents. For instance, national authorities may publish their views or version of events concerning a human rights problem or incident on their official website or through State-aligned media. In situations of armed conflict, warring parties may provide their respective views in the media or on their social media pages.

There are likely to be other international and non-governmental organizations collecting information alongside the presence. United Nations reports, including those of special rapporteurs, may contain information that could assist the presence, and regional intergovernmental organizations may also have observers in the country. Human rights NGOs write detailed reports, and they will have extensive contacts among groups of victims and witnesses and within the authorities. While HROs can easily access the public reports of these NGOs, other information such as the contact details of victims, witnesses and local authorities in the country concerned may not be included in such reports and may need to be accessed through direct contacts.

OHCHR presences should set up a system for regular monitoring of relevant open-source information, and for recording information related to human rights incidents or problems monitored by the presence. To ensure that all relevant media are monitored, including in local languages, it is good practice for presences to establish a list of media covering a wide range of political views and to allocate monitoring responsibilities among HROs. Online media monitoring platforms, code-based tools and social media tracking applications make it easier for HROs to regularly monitor a wide range of media and social media by defining search terms, hashtags and thematic alerts.

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Social media has become an important means of communicating information, and is a tool often used by individuals, civil society, authorities and others to share information about alleged violations. It can also be used to circulate misinformation, disinformation, hate speech and incitement to violence. While the caution that has previously been expressed regarding the risks of manipulation and misrepresentation of videos and photos and accompanying narratives should be borne in mind, information on social media can nonetheless be useful.

Middle East

A human rights presence in the Middle East monitored the Facebook page of an armed opposition group which displayed a photograph of a government soldier it had captured, with the soldier's name and the date and place of his capture. Further images showed the soldier being beaten, with an explanation that this was because he refused to provide information about government troops in the area. A few days later, a picture of the same soldier, now dead, was posted on the same page with a warning that this would be the fate of other captured soldiers who refused to provide information.

Publicly available information must be subjected to the same level of scrutiny as any other type of information (see section G on "Assessment of sources and information" below). The fact that information is available in the public domain does not mean that it has been verified. While videos can make for compelling documentation, their authenticity is particularly difficult to ascertain, especially in the case of anonymous videos posted online.

Additional principles applying to open-source information gathering (over and above the general principles of independence, impartiality and objectivity) include data minimization, preservation and online security.[14] Care must be taken, in the use of technology for information gathering or assessment purposes, not to compromise data confidentiality. Similarly, due care should be taken in using artificial intelligence tools, taking into account the potential for biased or incorrect search results or analysis.

9 Remote monitoring

HROs are sometimes faced with lack of access to the territory, making the documentation of alleged violations more challenging. This can be due to a variety of reasons, such as an ongoing conflict or other security concerns imposing restrictions of movement in certain areas, incidents occurring in inaccessible areas, or a complete lack of access to the territory concerned due to a lack of cooperation from the national authorities. This will necessitate the use of remote monitoring.

As a general rule, HROs should assume that information on human rights incidents exists and can be found remotely. HROs should identify ways to overcome obstacles in information gathering, they should be persistent and they should devise creative solutions. For example, if HROs are unable to visit the location where an incident reportedly took place, they could attempt to obtain information through proxy organizations (e.g. trusted NGOs or national human rights institutions), displaced persons who

14 See OHCHR and the Human Rights Center at the University of California, Berkeley, School of Law, *Berkeley Protocol on Digital Open Source Investigations*.

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have recently fled, or others who may have been in contact with eyewitnesses. They can also gather information posted on social media or provided through other open sources. HROs may be able to arrange meetings with victims and witnesses in safe locations.

HROs may need or decide to conduct remote interviews, that is interviews where they and the interviewee are in different locations. HROs should be particularly aware of the challenges associated with accessing sources from a distance, in a different location from where they are based. Remote interviews require specific preparation (see section E.1 on "Interviewing" above). Risks and challenges need to be properly understood and mitigated, including with regard to the security and well-being of the interviewee. This will involve using only secure encrypted communication methods and apps (such as Signal), employing virtual private networks (VPNs) and using tailored methods for securely receiving subsequent information. HROs should speak with interviewees regarding steps that may be taken to maximise their digital security. It will be prudent for OHCHR offices to adopt an ICT protocol for their specific context that sets out the risks and the mitigating measures to reduce that risk, and to update the protocol regularly based on continuous risk assessment. In many instances, a key role is played by intermediaries – persons who have referred the source to HROs, NGOs or other actors and who are helping to facilitate access to persons on the ground. Intermediaries may help identify potential interlocutors and act as go-betweens to establish contact and/or finalize arrangements for the remote interview. Whereas presences may provide funds to intermediaries or individuals, where necessary, to facilitate the remote interview to cover expenses such as interpretation costs, HROs should not provide payment for information or interviews per se.

Prior to taking a decision to conduct a remote interview, HROs must undertake a rigorous risk assessment. This should include an understanding of the local context where the interviewee is situated, taking into account the impact of gender. In some situations of displacement or armed conflict, women and girls may not have the same access to safe spaces or phones to speak with HROs. HROs will have to identify relevant services for referrals, such as medical, legal and psychosocial services, which should be available locally to the interviewee. They should assess the reliability and credibility of the intermediary, their security and their expectations, as well as assessing the situation of the interviewee, potential security risks and mitigating measures. Both the interviewee and interviewer need to identify locations that they consider secure and convenient for the holding of the interview. HROs may be able to facilitate the conduct of interviews from specific locations through prior arrangements, for example in health centres or in the offices of civil society actors, international NGOs or other actors within the United Nations system.

It may be a good practice to plan an interview in a phased manner:

- An initial contact with the interviewee limited to mutual introductions and an explanation of mandate and interview modalities in plain language, including the topics of confidentiality and informed consent
- A second call to commence the substantive part of the interview (gathering information on who did what to whom, where, when, how and why)
- A third call or further calls, as necessary, to complement information previously provided, including on informed consent. It is useful to explain this topic in detail again at the end of the interview, when both the interviewee and the interviewer have a better sense of what potential use could be made of the information provided and of any related implications.

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The time between the initial contact and the "core" of the interview enables a more considered and gradual interviewing process. The interviewee has time to reflect, understand and decide upon engagement with the presence. These different phases are also conducive to building trust, which is more challenging to establish remotely.

In no case should HROs compromise the security of persons providing information, or their own security, to obtain information. This may mean deciding not to interview persons remotely in particular locations, or not interview particular individuals at all.

Remote monitoring of the human rights situation has become the norm for several OHCHR presences and investigation teams located outside the country concerned. In such cases, HROs have relied upon remotely interviewing persons with relevant information. This can include face-to-face meetings outside the country concerned, including at missions to neighbouring States and/or States in which persons have sought refuge, or meeting persons inside the country where safe to do so. Information used in monitoring has included official statements and documentation, as well as other material in the public domain (including open-source material).

Afghanistan

The human rights component of the United Nations Assistance Mission in Afghanistan (UNAMA) regularly monitors incidents of civilian casualties in inaccessible locations, due to restrictions of movement for HROs and given the high number of incidents reported. HROs gather and verify information mostly through phone interviews. Given their in-depth knowledge of the country and local context, they are well equipped to assess the information provided by sources, which is always cross-checked with information from other sources.

Mali

The Human Rights Division of MINUSMA set up call centres in each of its regional offices, allowing people to call different numbers, according to the region and the language spoken, to report alleged violations to an HRO, who would then follow up on the information. The numbers of these call centres were broadcast on local radio stations, so as to reach out also to people in locations where the MINUSMA human rights component was not physically present or had no access.

HROs may need to enhance their understanding of the local context to develop more effective information-gathering strategies. In situations where local authorities are uncooperative in providing information, HROs could develop alternative contacts at the regional or central levels, or they could work through other institutions or organizations. Trusted partners such as local human rights defenders could be trained on information-gathering methodology (including witness protection) and entrusted with the responsibility of obtaining first-hand information from victims and witnesses. They may be requested to share unedited interview notes or audio- or video-recorded interviews with HROs, provided they have received informed consent to do so.

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HROs may use information from local civil society organizations or human rights defenders, or from international bodies. This could include unpublished information from United Nations entities or other intergovernmental bodies. As with all sources, HROs will have to assess the reliability and credibility of the source, and its methodology for gathering, verifying and analysing information. HROs should ascertain that they are not relying on circular reporting (whereby multiple sources all rely on the same original source of information, such as a particular NGO or government official). HROs should be especially mindful to obtain information from independent organizations that reflect differing points of view, rather than relying excessively on a particular group, such as human rights NGOs.

Where human rights presences are denied access to prisons and other detention facilities, they may still be able to gather information about conditions of detention or the situation of specific detainees by interviewing former detainees who have recently been released, or they may be able to interview other sources, such as family members who visit their relatives in detention, lawyers or other organizations that have access to such facilities. Detainees who have been transferred from one facility to another – from a police cell to a pretrial detention block in a prison, for example – can provide information about the human rights problems faced in the previous detention facility. HROs could also approach judicial authorities and national human rights institutions to gather more information about specific persons in detention. In some countries, HROs have obtained access to detainees' case files directly from public prosecutors and other judicial officials. These have included victims' statements and forensic reports.

10 Sharing information with criminal investigations

Depending on the mandate and the context-specific strategic planning of the OHCHR presence, one of the purposes of gathering information may be to make it available to accountability mechanisms and judicial authorities in order to contribute to accountability processes. Where coordination with such mechanisms and judicial authorities is required, heads of human rights presences are responsible for consulting within OHCHR to define the terms and means of cooperation. Heads of presences must provide clear guidelines to all HROs on existing collaboration arrangements with ongoing national or international criminal investigations, and on dealing with potential witnesses for criminal proceedings.

At the same time, HROs must be particularly circumspect not to jeopardize criminal investigations by national or international courts, such as the International Criminal Court.

When appropriate, HROs should promptly inform judicial personnel or investigators of information which may fall within their mandate. Most of the evidence collected for criminal prosecutions comes from interviewing witnesses, visits to crime scenes, collection and analysis of physical evidence and searches for documents. In criminal investigations, physical evidence must be preserved, and the chain of custody must be carefully recorded, so that evidence can later be verified and accepted in court. As a general rule, HROs must not collect physical objects that may be considered as evidence, as this could disrupt the process. Very exceptional circumstances could arise where HROs may have to exercise judgment as to whether they should go further than documentation and actually collect physical evidence, for instance if there is a risk that the object may otherwise be destroyed or irretrievably lost. This should always be done in consultation with senior HROs. In such cases, it is essential to provide strong documentation of the handling, transport and storage of the items collected – the chain of custody, also known as the chain of continuity.

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The same principle applies with respect to original digital materials such as photos or videos. In cases where HROs are shown devices containing photos or videos taken by a witness, rather than taking custody of the device itself, a process should be established to allow the material to be transferred securely and in accordance with OHCHR protocols for receipt of digital materials.

Concerns also arise with regard to interviewing persons who may later be required to testify in national or international criminal proceedings. For instance, if a prior statement of a witness could be adduced in a criminal proceeding, HROs should be careful not to obtain a sworn statement from the witness or record the interview in a manner that could be used to challenge or discredit the witness (e.g. a voice or video recording, or a statement written in the first person). In instances where the criminal investigation has commenced or is imminent, HROs may wish to defer interviewing the person to avoid the possibility of influencing their testimony.

F. Management of information

Information gathered through monitoring is sensitive, as it includes personal identifying details of sources, victims and perpetrators and can expose those involved, including HROs, to risks. The diligent and systematic management of information by an OHCHR presence or team is critical for the protection of its integrity and confidentiality – and for protecting the sources. It also mitigates risks of retaliation against sources and HROs. Storage, use, retrieval, eventual archiving and preservation of information are the key concepts in an information management system. All human rights presences should use an information management system that will help them document, organize, store, use and retrieve information systematically and consistently.

Information management is a shared responsibility among all staff. At the organizational level, OHCHR is responsible for identifying and maintaining a corporate package of information management tools. Heads of presences and other senior managers are responsible for ensuring the use of such tools in their offices and teams. Each HRO is expected to manage and store data that they have gathered or produced, in accordance with United Nations rules and procedures for information management. The collection and handling of personal data by HROs must be guided by relevant United Nations policies, including the Secretary-General's Bulletin on the data protection and privacy policy for the Secretariat of the United Nations (ST/SGB/2024/3) and any relevant internal procedures, to ensure lawful, ethical and secure use of sensitive information.

Organizations that do not have established information management tools should take the following considerations into account:

- How can information be stored, accessed and retrieved quickly, securely and easily, and by whom?
- How should information be organized to facilitate analysis for human rights reporting?
- Which methods of recording and managing information guarantee the highest level of security?

Other aspects to be considered include:

- The mobility requirements of the human rights presence
- The security situation (in particular, where the security environment is highly volatile, how can information be secured or destroyed in case of an evacuation?)
- Access to technology in the area of operation, including the quality and security of internet connectivity.

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Presences normally use one or more of the following methods to systematically record information about human rights incidents or problems:

a) *Handwritten notes or notebooks*, which are a common form of recording information during visits and interviews. They are less inhibiting for interviewees, but they are only useful to the extent that they can be accessed and retrieved in other formats by others. HROs should type up their notes as soon as possible after an interview, preferably in a database, and then destroy the original notes.
b) *Standard forms, lists or templates*,[15] which are important tools to ensure that HROs gather and record information according to a common structure and logic, so as to enhance consistency and accuracy. Forms and templates must be designed in a way that allows HROs to record the essential information about a human rights incident, to accurately record the informed consent provided by interviewees, and to classify violations according to the same criteria. Interview forms, standard lists of international human rights and humanitarian law violations, checklists for the type of information required to substantiate violations, reporting templates and other similar tools serve this purpose. To document locations, it is good practice to record their GPS coordinates. This adds accuracy to the documentation and can help visualize information on maps, facilitating analysis. For instance, by visualizing the location of casualties in an armed conflict on a map, HROs can identify the areas most affected.
c) The *human rights case database*, which is the OHCHR corporate tool for recording, storing and archiving information related to human rights incidents or problems, including scanned documents, photographs and audio and video recordings.[16] The database enables presences to safely store, search and retrieve information based on predefined access rights.
d) *Other tools* that meet the additional information management needs of offices and teams (e.g. in the area of contact management or legislation).

Information management tools and, in the case of OHCHR presences, the human rights case database, should facilitate the accurate recording of materials collected (including photos, videos and documents in either hard copy or digital format). This should include all relevant data, such as:

- A description of the item
- The time, date and location where the item was collected
- The name of the HRO who received or obtained the item
- The name, contact details and organization (if applicable) of the source that provided the item
- Any available information on how the source obtained the item
- For digital materials, relevant metadata (see below)
- Details of the informed consent provided (or not provided) for OHCHR to use such information.

Care should be taken to note all relevant additional information, such as the names of persons depicted in photos or videos, according to the source, any specific protection concerns relating to the source, and details of the informed consent to use or share the materials.

Digital files should be preserved in their original condition, with details recorded of their file name, format and size, and hash value (when applicable). Material transmitted to HROs that has been drawn

15 Several chapters of this *Manual* provide guidance, standard forms and templates relevant to the monitoring of specific human rights problems or incidents, as do sample questionnaires published under thematic mandates of the special procedures of the Human Rights Council. These can be downloaded from the OHCHR website (www.ohchr.org).

16 See OHCHR, "Human rights in United Nations peace operations and political missions", 1 September 2011, which states: "Data gathered in monitoring, fact-finding and investigation by the human rights component shall be entered into the OHCHR Human Rights Case Database or in a database of equal or similar standard approved by OHCHR".

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from internet research (e.g. from websites or social media feeds) or recorded on mobile phones or other digital devices should be preserved in accordance with OHCHR protocols. This includes recording metadata, source code and device information from user-generated content (e.g. the international mobile equipment identity of the phone).

Decisions may have to be made about which digital materials found through open-search research should be preserved in accordance with OHCHR protocols. In general, the highest priority is securing relevant information which may be removed or modified. Information at the lowest risk of loss or destruction is generally not collected in the same form. The decision-making may thus be approached on a scale of risk and relevance derived from an assessment of the information according to its availability, reliability, probative value and risk of loss or destruction.

When conducting analysis or translation, working copies of the material should be used. These should be kept separate from the original documentation, but linked appropriately so as to be accessible.

Each presence should establish a standardized filing plan for storing information, preferably in electronic format (using common spreadsheets, shared computer networks and electronic databases), allowing similar information to be categorized and placed together to make it easier to retrieve and use. Paper files should be used only if no other means are available.

Tips for electronic filing, classification and record-keeping of documents in databases[17]

- Use folders and subfolders to classify and group similar data together (e.g. by theme or region);
- Do not create a folder for just one or two documents, to avoid unnecessary layers;
- Save single documents once and only in one location, to avoid duplicates;
- Label documents consistently and so as to identify their content. Documents whose names start with their date of creation (yyyy-mm-dd) will automatically appear in chronological order; and
- Use the official working language of the presence to label documents, to ensure that all staff can read them.

Managers of presences should establish internal guidelines to preserve the confidentiality of sources and the security of information in line with relevant United Nations and OHCHR policies. They must ensure that all staff are aware of their responsibility to implement the measures. These guidelines may include the following:

- The OHCHR human rights case database should be used to register information that was initially recorded through other means;
- Safe internet connections, email encryption and two-step verification should be used;
- Hard drives should be encrypted;
- Consultations should be held with an information technology specialist on how to further protect sensitive information;
- Only carry information and hardware that is essential to fulfil certain tasks (including on missions) and do not mix personal and professional hardware;

17 The applicability of these tips will depend on the information used by the management system. Some variation may be necessary, such as in the case of e-discovery tools that use different methods for linking material.

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- Plan for the possibility of sudden evacuation or redeployment: do not leave behind confidential information which could put others at risk. To ensure that sensitive information is handled appropriately, clearly separate it from other unclassified information (such as templates, training materials, open-source data or legal documents).

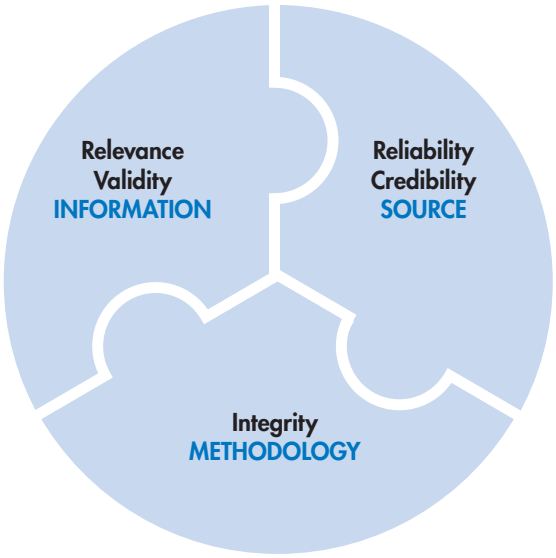
G. Assessment of sources and information

HROs must always evaluate and verify information related to a human rights problem or incident before acting on it. They should therefore maintain an attitude of healthy scepticism when collecting information, while avoiding unconscious bias. HROs should not simply accept the information presented to them at face value. While HROs do not normally have the means to verify every detail of the information that they receive or gather, they should carefully assess information independently and alongside other information collected. At the same time, they should develop an analysis of the occurrence of human rights violations.

HROs should do so by considering:

- The reliability and credibility of each source of information
- The relevance and validity of the information
- The integrity of the methodology used to gather the information.

Evaluation of information



When evaluating information, HROs must assess the reliability and credibility of the source separately from the relevance, accuracy and validity of the information. HROs should not assume that a reliable and credible source will always provide valid or correct information, and that a source that has not been credible in the past cannot provide accurate information on some occasions. For example, a trusted source such as a local human rights defender may not always have thoroughly checked information that has been shared with the presence. Conversely, a political activist who has provided biased information in the past may provide accurate information on an arbitrary arrest of a like-minded activist which requires follow-up by the presence.

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1 Reliability and credibility of sources

HROs need to assess how reliable and how credible a source of information is – that is, the trustworthiness of the source over time and the extent to which the source can be believed – in reporting a human rights incident or problem objectively, without distorting or interpreting the facts. This assessment applies both to individuals providing verbal or written information (victims, witnesses, human rights defenders, alleged perpetrators or other sources) and to the authors of documentation (institutions or persons). Such an assessment also applies to sources of online open-source information (which may include text, photos and videos).

The following questions may guide HROs in their assessment of sources:

- Who has provided the information?
- How did the source learn about the information? (e.g. from others, through the media, or directly witnessing or experiencing incidents/events)
- What has motivated the person/author to share the information with the HRO?
- Has the source provided a clear account?
- Was the source reliable in the past?

There are a number of additional considerations in assessing the reliability and credibility of sources of online information (including information presented on social media). These may include the earliest known existence of the site or social media account, the source's posting history, online activity, internet presence and affiliations, how precise the information is, and whether it is a contemporaneous account.

Considering who provided the information and how the source learned about it is a first step in assessing reliability.

HROs should always ask "How do you know that?" (or a similar appropriate question) to determine how the source came to know about the information being provided. Sources may be truthful in providing information but without always knowing how correct or accurate that information is. For example, witnesses of a demonstration where force was used by police may be inaccurately reporting certain facts because they may not have the technical knowledge to identify the specific equipment used to contain the demonstrators, or because they may not have been close enough to the scene to see exactly what happened, despite believing that they are telling the truth.

HROs should consider the reason why someone is providing information. Sources provide information for many different reasons. Some may hope that perpetrators will be held accountable and genuinely wish to assist in establishing the facts about an incident. Others may be seeking different types of assistance from the presence or team, or they might have ulterior interests and motives, such as furthering a political agenda by trying to influence the presence. By being mindful of these perspectives, HROs can more easily identify indications that an account may be false, biased, incomplete or exaggerated.

HROs should consider whether a particular motive may affect the overall credibility of the source. Has a person omitted information out of shame or fear, or to justify his or her own conduct? Is the person exaggerating to accentuate the seriousness of a situation? HROs should be aware of these possibilities and factor them into their analysis to determine the credibility of a source. During interviews, HROs can ask interviewees to repeat parts of their account, by asking clarifying questions from different angles, and by probing the statements made (see chapter on *Interviewing*).

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HROs should consider whether sources have relevant associations that could affect their independence. For example, could the source be affiliated with one side or another in a conflict, or with certain political actors (whether formally or informally)? This could include membership of a club, organization or party, or, if relevant, a religious, ethnic or political affiliation. Such associations and perceived bias is not necessarily a reason to dismiss the information provided, however. An organization that has a political or other affiliation may still have sound methodology and may be able to produce reliable and unbiased information.

A clear and detailed account may add to a source's credibility. However, a range of factors can affect an interviewee's ability to state information clearly and confidently, including trauma,[18] fear of reprisals or stigma, culture, gender, age, disability or education status. It is not an easy task for any individual to provide a detailed statement about an incident that occurred in the past, let alone for someone who has experienced or witnessed a violation. Difficulty in remembering details might result in a source making contradictory statements, even without any intention to mislead. Trauma, in particular, can lead to a fragmentation of memory, where some details are recalled clearly, and others less clearly.

The behaviour or demeanour of the source should be noted, but it can be difficult to assess credibility on the basis of demeanour. Any association between the assertiveness of a witness and the correctness of their account is weak. Assertiveness (or lack thereof) can be more of a personality trait (or related to gender, culture etc.) than an indicator of credibility. HROs should be aware that witnesses' current circumstances may influence how willing they are to share information with an HRO. For example, a migrant who has recently made a difficult journey may wish to focus on what lies ahead, rather than recount their past experiences (see also chapter on *Monitoring and protecting human rights in the context of migration*).

A source's language or dialect skills may be relevant in assessing their credibility. For instance, there may be a question as to whether a witness has adequate knowledge of a particular language or dialect (where different from the witness's customary language(s)) to understand it and accurately recount speech in it. Note also that, in some languages, there may not be words for some parts of the body (e.g. genitalia) or for the violation a person may have suffered (e.g. torture). In other instances, local culture may use euphemisms to refer to certain violations. HROs are advised to discuss such matters with interpreters, language assistants or other national colleagues, and they should become familiar with these terms and euphemisms before commencing interviews. HROs should also take into account whether, at the time of the events recounted, the person had any medical condition that might have affected their ability to see, hear or recall events.

Where a source acknowledges the limitations of their own knowledge or memory, this could be a reason for a positive evaluation of their credibility. Similarly, overly categorical answers may be a negative indicator of credibility. Spontaneous self-correction and self-criticism are generally positive indicators. Expressing doubt about some aspects is also natural and may be cause for positive rather than negative evaluation.

In some cases, HROs will only be able to assess the reliability of a source over time or in relation to a specific thematic or geographic area. This may be easier in situations where they have established relationships with regular contacts. If a source has provided information before, HROs should assess

18 See chapter on *Trauma and self-care*.

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whether that source proved to be reliable and trustworthy in the past or was instead prone to report inaccurate information. Although the past reliability of a source can be a useful indicator, it may change over time and may depend on the type of information provided.

HROs should consider whether the source might have been affected by the accounts or views of others. A source may be unwittingly influenced (or manipulated) to recall events in a certain way by hearing others' accounts, or by an intermediary. For example, refugees may develop a common narrative due to influence by camp leaders, or simply in order to fit into the camp community or get access to humanitarian assistance. If a number of witnesses have provided virtually identical statements, HROs may need to probe further to explore whether the witness has been unduly influenced by others, or whether the similarities reflect a particular modus operandi related to the violations.

Some particular questions may be asked regarding the reliability and credibility of online platforms and websites. For instance, who created the website, who authored the page(s), and who finances the website? It is helpful to understand who the website was created for, and whether there are any links to others, as well as learning about the website's reputation and security history. It will also be relevant to assess the content of the website, its purpose, where it is hosted, its geographical coverage, when it was created, when it was last updated, and whether it has ever been attacked. HROs may consider how information is presented on the website, and they may consider levels of interaction with the website in the past and whether or not it has provided accurate information. Similar questions will need to be asked concerning content appearing on online platforms such as Facebook or YouTube.

The above factors related to individual sources will be of equal relevance in considering civil society organizations and other entities as information providers. In some country contexts, civil society organizations have shared large volumes of information with OHCHR (or investigations supported by OHCHR), including copies of interviews with victims and witnesses and supporting documentation. HROs need to evaluate the professionalism, independence and potential bias of a civil society organization. This will involve considering such matters as the organization's public profile and reputation, its objective or mandate, any political affiliations, its source of funding, its level of independence and the composition of any executive or board. HROs should also seek to understand the methodologies employed by the organization, including its processes for verifying and analysing information and for obtaining informed consent (including for the purposes of sharing with OHCHR), as well as its methods of source protection, information security, staff training and gender integration.

2 Relevance of the information

HROs should first identify the information requirements of the human rights problem based on international human rights law, international humanitarian law and other relevant bodies of international law as applicable, plus any available contextual and preliminary information. To be considered relevant, information has to be related to the human rights problem the HROs are investigating and should generally fit in the context of the fact-finding activity.

At the beginning of an information-gathering process, it may be difficult to determine what information is pertinent, although this normally becomes clearer as the monitoring activity progresses. HROs should not exclude or discard information early on in the information-gathering process, as it may prove valuable later, when examined in the context of other information.

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To assess the relevance of a piece of information, HROs should consider these questions:

- Is the information pertinent to the human rights problem?
- Does it constitute helpful contextual information?
- Is it directly related to, or does it point to, the occurrence of incidents under investigation?
- Does it bolster or contradict the information from another source?
- Does it fit into a pattern of violations related to the human rights problem?
- Does it point to a new human rights problem?

Information may point to new human rights problems that had not previously been identified. For example, monitoring instances of denial of access to medical care for persons with HIV/AIDS in public hospitals may reveal a pattern of discrimination in other areas as well, such as work or education.

In accessing and gathering online open-source information, HROs should undertake a preliminary analysis to avoid overcollection, by assessing the relevance of the information and whether it is reliable. Is the information likely to be removed or to become unavailable, and is it safe to collect (that is, there is no malware)? If there is a risk that information may be taken down by the author or the service provider (e.g. Facebook/Meta), HROs should collect and preserve the information if it is safe to do so.

Information should be evaluated continuously, and HROs may need to revise their assessment and its relevance once they have gathered more information and thus have a more complete picture of the human rights problem.

3 Validity of the information

Even though a source may be deemed reliable and credible, HROs still need to assess separately the validity of the information provided, i.e. its accuracy and veracity. To do so, the HROs have to consider the degree of accuracy and correctness of the information itself, and the extent to which a particular piece of information fits with other information collected. In general, the less reliable a source is, the more effort is required to determine the validity of the information.

The following questions may guide HROs in assessing the validity of information:

- Is the information logical, coherent and consistent within itself?
- Is it consistent with the overall context or with the general understanding of the human rights concern?
- Is it supported by information from other (credible) sources?
- Is there contradictory information from independent and credible sources?
- Is it accurate when compared with information otherwise understood to be true?

The information considered should be accurate, precise and well founded. It is relevant to appreciate how information was acquired by the source (e.g. by direct observation or via accounts from others/hearsay, with the latter less likely to be accurate than the former) and when the information was obtained. Note that cultural and other factors may affect the perceived precision of accounts regarding time, dates or locations. In some societies, people may describe time in relation to religious holidays or agricultural seasons, or they may situate their village in hours on foot from the closest urban centre. This will not make the information less valid or truthful, but HROs have to interpret such information, based on research and knowledge of the local context, rendering it into concrete albeit approximate time frames and locations.

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Interpreting information in local contexts

While conducting interviews in one country, HROs sometimes encountered people who did not know their exact date of birth and who did not possess a birth certificate. When asked about their age, they often said, "I was born under President X." Since there had been many successive presidents in short intervals of a few years in that country, HROs were often able to estimate the age of a person using such a reference.

HROs should consider whether the information covers the relevant events with sufficient detail or completeness. Did the source perceive only part of the incident/event? HROs should also assess the internal coherence and consistency of a narrative. When interviewing, HROs should ask probing, clarifying and follow-up questions, while avoiding any sense of interrogation. HROs should remember that trauma or fear of stigmatization or reprisals may affect the witness's description of events. A source may have reasons for not mentioning some matters in their initial account – for example, victims of sexual violence may not mention a rape or other assault in their initial account while detailing other events.

HROs should assess any information against their knowledge about the context in which they work and against any information from other sources. Is the information consistent with that provided by other sources? Are there credible sources that contradict it? HROs need to avoid "confirmation bias" – that is, only seeking out information that supports or confirms the initial information provided. Instead, HROs need to cast a wide net, gathering information from a diversity of sources. When comparing information provided by one source with information from other sources, HROs must take particular care not to reveal the identity of the person who provided the information so as not to put the source at risk (see chapter on *Protection of victims, witnesses and other cooperating persons*).

4 Integrity of the methodology

In human rights monitoring and investigation, the assessment of sources and information must follow a sound methodology.

HROs must ensure that the methodology used to gather and assess information about a human rights problem is sound and can withstand scrutiny. HROs must take all necessary steps to gather sufficient information to establish the facts and the possible occurrence of violations (see section H on "Analysis of information" below). Wherever HROs are unable to obtain information despite their best efforts, for example due to lack of access to a geographic area or because of failure on the part of the authorities to provide information, they should duly record their efforts to show that a critical side of the story was not neglected. It is good practice for HROs to document requests for information addressed to authorities, so as to show what efforts have been made to seek official information. This is why reports documenting human rights violations generally contain an explanation of the methodology used to collect the information presented in the report (see chapter on *Human rights reporting*).

HROs should ask themselves such questions as:

- Is the information gathered of the highest quality?
- Has the information been corroborated sufficiently?

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- Has analysis been undertaken objectively?
- Has disaggregated information been collected (e.g. by sex and age)?
- Have gender issues been adequately analysed?

Being guided by the basic principles of human rights monitoring at all times,[19] HROs must gather and assess information objectively without any bias and must always act in an independent and impartial manner. HROs should evaluate their own biases (cultural, political, emotional, gender related,[20] age related etc.), and they should assess the potential impact on the assessment of the source and the information. Assessments must be based on professional judgment and not on emotions or personal feelings. Once they are convinced by the information, and/or once it has been thoroughly assessed, HROs should challenge it. They should ask questions and "play devil's advocate". They should ask trusted colleagues what they think. If they have come across interesting, strange or challenging information, they should record it and keep it in mind for the purposes of the investigation. HROs need to be prepared to re-evaluate their findings or conclusions every time there is a reason to do so – such as upon receipt of new information, or when hearing about a new allegation.

The integrity of the methodology relies on HROs always considering a human rights problem from all perspectives and gathering information from a wide range of sources. Relying on only one source or on biased or partisan information can seriously undermine the fact-finding activity and damage the credibility of OHCHR. In the same way, HROs should take a comprehensive approach and document violations committed by all alleged perpetrators, rather than focusing only on one. For instance, in situations of armed conflict, HROs must monitor and analyse the actions, or lack thereof, of each party to the conflict.

Even where HROs apply rigorous standards to information gathering, the integrity of their methods may still be undermined if they somehow create the perception that they are not independent and impartial. It is therefore essential that HROs consider how their actions can be perceived by others before engaging in certain activities, as illustrated by the example below.

A post-conflict situation

An HRO working in an African country in a post-conflict situation was invited to dinner at a local restaurant by the commander of the local military camp, where alleged widespread violations by soldiers had been reported to the human rights presence. The HRO accepted the invitation as a means to establish a good relationship with the commander, to obtain information on the situation in the camp and to exercise influence so as to change the behaviour of the soldiers under his command. The HRO met him on a regular basis in public places. Although the HRO conducted fact-finding in an impartial and independent manner, being regularly seen out of working hours in the company of the commander at local restaurants created the impression of bias among certain parts of the local community, which negatively affected the image of the presence.

19 See chapter on *Basic principles of human rights monitoring*.

20 See OHCHR, *Integrating a Gender Perspective into Human Rights Investigations: Guidance and Practice* (New York and Geneva, 2018), p. 37.

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5 Assigning one rating for the source and another for the information

In the course of their information-gathering work, HROs should assign a rating (high, medium or low) for the credibility and reliability of each source, and a separate rating for the validity of the information provided. These ratings should be recorded in the information management system in use.

Source (reliability and credibility)

High: The source has a history of supplying valid information most of the time, and has provided clear and detailed information based primarily on personal knowledge or experience (e.g. an eye-witness account or the account of a close relative of a person unable to be interviewed, such as a child or detainee). The information can be checked, has not been exaggerated and has not been unduly influenced by bias, allegiances or political views. The source has not demonstrated any nefarious motive. For a high rating, there should normally be no doubt about the authenticity, trustworthiness or competency of the source.

Medium: The source has provided valid information in the past, or on a specific area or situation, but there is some doubt about its authenticity, trustworthiness or competency. The source may or may not be reliable (they may be a new source), and it may be difficult to determine whether gaps in the information are due to trauma, fear or shame, but there is little or nothing to indicate unreliability. There is no evidence of purposeful falsehoods, bias or exaggerations.

Low: The source appears biased or seems to present a partial or false narrative which does not fit into the context or with other available information. The source seems to withhold information or refuses to provide details that could be presumed to be within the person's knowledge, or the source provides information that would not be expected to be within their purview. The source provides a narrative based primarily on hearsay or rumours. The source seems to lack authenticity, trustworthiness or competency, or cannot be judged because there is no basis for evaluating their reliability. There is no record of trustworthiness over time.

Information (validity)

High: The information is substantiated or confirmed by additional independent sources, or it gives every indication of being accurate. The information is logical within itself and coincides with other information on the same subject.

Medium: The information has been neither confirmed nor contradicted; indications are that the information agrees somewhat with the general body of information and is reasonably logical, but confirmation is not yet possible. The information is not contradicted, nor is it illogical within itself. The information is not in significant disagreement with other information on the same subject.

Low: The information is contradicted by other data. It is illogical within itself and/or is in disagreement with the general body of information on the same subject. The truth of the information cannot be judged at the time because of a lack of other information on the same subject.

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SOURCE	INFORMATION			
	HIGH	MEDIUM	LOW	CANNOT BE ASSESSED
HIGH	✓	✓	☐	✗
MEDIUM	✓	☐	☐	✗
LOW	☐	☐	✗	✗
CANNOT BE ASSESSED	✗	✗	✗	✗

✓ Credible, accept ☐ Uncertain – investigate, verify ✗ Not credible, reject

H. Verification and analysis of information[21]

Generally speaking, analysis consists of separating and sorting information (to identify emerging patterns, incongruences, matching data etc.) and then recomposing it to create a complete picture of a human rights incident or problem, as if assembling the pieces of a puzzle. This analytical process is particularly important when devising strategies to respond to a human rights problem, or when preparing reports on human rights incidents or trends.

Analysis of information is a function that HROs carry out continuously throughout the monitoring cycle, and includes:

- *Initial analysis of a human rights problem or incident and related contextual information*, which serves to identify the possible violations to be monitored and helps plan the information-gathering process (see section C on "The information-gathering process" above);
- *Regular analysis and review of information during the fact-finding process*, which enables adjustments to be made to the initial information collection plan, information gaps to be identified, the quality and quantity of information to be assessed, information to be verified and invalid data to be discarded;
- *Gender analysis*, to assess whether the causes, circumstances and consequences of human rights problems are gender specific and to identify any barriers to remedies (see chapter on *Integrating gender into human rights monitoring*);
- *Qualitative and quantitative analysis*, to assess whether sufficient and high-quality information has been gathered to establish the facts of a human rights problem. This includes using quantitative data alongside qualitative information to identify and demonstrate trends and patterns;
- *Verification*, which is the process of collecting sufficient information about a human rights incident or circumstance to establish how, when and where it happened and who was involved. Verification entails analysis of the individual sources and the information those sources provide, as well as the application of the standard of proof;
- *Corroboration*, an aspect of verification wherein gathered information is compared with information obtained from other credible sources that are independent from one another, so as to assess and identify consistencies (or inconsistencies).

21 For a broader perspective on different forms of analysis relevant to human rights monitoring work, see the chapter on *Analysis*.

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- *Legal analysis*, to match the facts that have been verified to specific provisions of international human rights law and/or international humanitarian law (if applicable) to determine whether the acts (or omissions) constitute violations, referring also to other relevant bodies of law (e.g. international criminal law or international labour law);
- *Analysis of responsibilities*, to establish which entities or individuals were responsible for the identified violations and to recommend corrective actions to be taken;
- *In-depth analysis of the human rights problem and its root causes*, which may provide an evidence-based foundation to recommend medium- and longer-term strategies to prevent and address future violations.

In some presences or teams, analysis may be carried out by a person other than the HRO who collected the information, for example an information analyst or a reporting officer.

1 Qualitative and quantitative analysis as part of regular review

HROs should consider whether the information gathered is of the highest possible quality in terms of its relevance and validity.

HROs also need to assess whether the amount of information obtained is sufficient to answer the key questions identified during the planning phase and to support their findings. This analysis does not necessarily relate to numbers (such as the number of sources consulted or interviews conducted regarding a human rights problem), but to whether HROs have gathered enough and sufficiently varied information to gain a broad perspective regarding the incident or pattern of violations. If the information is deemed insufficient, HROs should seek avenues for complementing it, potentially going back to the sources for further detail, seeking out new sources or exploring additional methods of collecting information.

Quantitative analysis is crucial for identifying and substantiating human rights trends. This involves the systematic examination of data, such as the frequency of reported violations, the demographic distribution of victims, geographic patterns, and statistical correlations between different human rights indicators. By applying quantitative methods, HROs can detect patterns that may not be immediately apparent through qualitative approaches alone. Quantitative data provide measurable evidence that supports qualitative findings. For example, an increase or decrease in the reported number of arbitrary detentions or school dropouts over a specific period, when analysed alongside qualitative testimonies, can help demonstrate human rights trends in these areas. Integrating quantitative analysis into human rights monitoring enables a more comprehensive and evidence-based approach to documenting and addressing violations. However, quantitative data can be misleading where they are incomplete. For example, some human rights violations might be underreported, or official records might be skewed. Numbers alone may miss important contextual information and should be carefully presented and complemented by qualitative insights and transparent methodology that includes an acknowledgement and analysis of the impact of data limitations.

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2 Verification and corroboration

Verification of information is an important part of the analytical process in human rights monitoring and investigation methodology. Verification is the process of securing corroborated information about a human rights incident to "verify" how it happened. Generally, the aim is to have each relevant fact supported by three independent sources. In other words, HROs with information from a single source should seek to corroborate it by obtaining concurring information from two other independent and reliable sources.

Corroboration of information obtained from an initial source can take different forms:

- First-hand account by a credible victim or witness
- First-hand account by a credible alleged perpetrator
- HRO's own observations, e.g. at the site of an incident, or their observation of material information or injuries
- Other reliable materials, such as maps, photographs, satellite imagery, sourced videos, medical records or official documents
- Second-hand accounts by credible sources, such as expert advice from professionals (e.g. doctors, military or forensic experts) or the authorities (e.g. prosecutors)
- The emergence of a pattern of similar incidents.

HROs have to evaluate whether sources are genuinely independent from one another – that is, that they are not simply referring to each other – or whether the information that is being reported originates from the same initial source (circular reporting). For example, a presence may receive various reports from separate sources concerning allegations of destruction of property during an attack in a village by armed groups, and about the subsequent forced marriage of women and girls abducted during the attack, but all the sources may have learned of the incident from the same family member of one of the victims. Similarly, victims and witnesses sometimes report the same incident to several organizations in order to seek support. In such cases, the fact that the information is relayed to several interlocutors does not strengthen its validity, as the original source is the same.

Sudan

In one case, the human rights component of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) received information via email, from an unknown source, that armed groups were carrying out extrajudicial executions of civilians in an area that was not accessible to the presence or other international observers. Soon thereafter, other mission components and local human rights NGOs reported the same allegations to the human rights component of UNAMID. Following research, and tracing each piece of information, the human rights component was able to establish that all sources received the same information by email from the same anonymous source. After further inquiry, HROs could not find other independent sources to verify that the alleged executions had, in fact, been carried out, and therefore the allegations were not reported as having occurred.

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It is recognized that it may be difficult to verify some allegations with information from multiple independent sources, especially where such sources do not exist. Therefore, information from a reliable source (who may be the victim or a witness) may need corroboration by only one additional independent and reliable source, which may include the HRO's own direct observations. When an interviewee alleges torture, for example, the HRO's assessment of the reliability of the source, and the viewing and noting down of scars or injuries consistent with the account, can provide corroboration of the interviewee's allegations. Alternatively, HROs may take detailed notes of a victim's physical and psychological symptoms, including by using anatomical drawings. Subject to consent, they may be able to share such notes with a medical professional to obtain an assessment of the consistency of the symptoms with the allegation of torture.

Another method of corroboration is to establish whether a single account of an incident fits into or reveals a pattern. This is known as "pattern corroboration". By assessing the details of an account from a credible source, an HRO can evaluate whether it is consistent with what is known about a situation and/or other incidents. If the new incident shares at least one commonality with other, similar allegations (in the type of violation, in the behaviour or characteristics of the alleged perpetrator, targets or victims, in the methods used or in where the incidents took place), it may be that the initial account can be considered corroborated via this pattern. HROs should be cautious about identifying a pattern where there are fewer than three similar incidents.

Not every piece of information requires corroboration. Rather, it is the facts that relate to or "prove" the elements of an international law violation that need to be corroborated.

3 Standard of proof

In order to ascertain whether enough information has been collected, HROs need to ask whether the allegation has been verified with sufficient corroborated information to meet the relevant standard of proof. A standard of proof is that point on a spectrum between conjecture and absolute certainty above which an allegation is accepted as proven, and below which it is not.

OHCHR has adopted the standard of "reasonable grounds to believe" for most human rights monitoring and investigation purposes.

The "reasonable grounds" standard is met where, based on a body of verified information, an objective and ordinarily prudent observer would have reasonable grounds to believe that the facts took place as described and, where legal conclusions are drawn, that those facts meet all the elements of a violation.[22]

Note that this standard of proof is recommended for reporting on violations at the conclusion of a fully fledged monitoring, fact-finding or investigative process. A lower standard of proof may apply for other purposes, for example when raising alerts about risks of violations for the purposes of early warning, when using information internally, when alerting the United Nations or the appropriate authorities to possible concerns regarding a situation, or in order to prompt interventions by relevant actors primarily for prevention purposes, even as a full assessment and investigation process is ongoing. While full

22 This is the standard commonly used by OHCHR, United Nations commissions of inquiry and fact-finding missions, as well as by the International Criminal Court when issuing an arrest warrant or summons to appear before the court. It is lower than that required in criminal prosecutions, which require proof "beyond reasonable doubt".

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verification may not be required in these circumstances, the information should not be based on rumours, hearsay or poorly sourced social media posts or media reports.

4 Legal analysis

After a factual analysis has been conducted to establish whether an incident has indeed occurred or a situation has arisen, it will be necessary to undertake a legal analysis to match the facts to the legal elements of specific provisions of international human rights law and/or international humanitarian law (in situations of armed conflict) to determine whether the facts constitute violations. Before applying international law to specific human rights problems or incidents, HROs must understand the applicable legal framework (see chapter on *Applicable international human rights and humanitarian law framework* 📖).

Not every violent or unlawful act constitutes a human rights violation. While some might be criminal acts that are prohibited under national law, they may not contravene international law. For instance, killings of farmers by members of an opposing pastoralist group constitute criminal acts punishable by law, but not human rights violations per se. However, if, in such cases, the State fails to meet its obligation to prevent these acts or prosecute the private individuals who committed them, it can be held accountable for its failure to exercise due diligence (see section H.5 on "Attributing responsibility for violations" below).

Most human rights problems that HROs monitor involve more than one violation. Therefore, HROs should document and assess the occurrence not only of the most prominent violation, but of other interrelated violations, too. For example, when a person is unlawfully detained in solitary confinement, a series of other violations related to conditions of detention, cruel, inhuman or degrading treatment and the rights to food and healthcare may also have been breached. When discrimination occurs, it may affect a range of rights, such as the rights to education, health, work, social security and participation in public affairs.

Some acts may simultaneously constitute more than one violation. Rape may constitute gender-based discrimination, torture and a violation of the right to health. An act could also implicate other forms of prohibited discrimination, for example if the victim has been targeted due to his or her actual or perceived political affiliation. Some violations can be the trigger for and the result of other violations. This would be the case, for example, for a peasant community that is forcibly evicted from its land: the members of the community are no longer able to feed themselves through cultivating the land, and they may not have access to alternative means of support and food. In other cases, human rights violations may be the root cause of other violations, for example when discrimination against women results in a heightened incidence of violence against women.

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5 Attributing responsibility for violations

While, in some cases, HROs may be able to identify individual alleged perpetrators, this is not required in order to determine the occurrence of a violation. It will be sufficient if the HROs establish that a relevant duty holder was responsible for the violation under international law. In the case of international human rights law, this will mean the State that was responsible for the violation (that is, that the acts or omissions were committed by the State or its agents, or by other persons whose acts are attributed to the State under international law).[23] Some acts of non-State actors may amount to violations of international human rights law, including certain acts committed by de facto authorities or non-State armed groups in effective control of territory[24] (see chapter on *Interaction with non-State actors* 📖).[25]

In some cases, although the information gathered may be insufficient to determine the exact type of involvement of public officials in an alleged violation, it may still be possible to attribute State responsibility for a related violation, such as a failure to exercise due diligence, a failure to investigate or a failure to afford a remedy. For example, HROs may not be able to determine whether a suspicious death in custody resulted from a failure by the detaining authorities to protect the life of the detainee against violence by fellow prisoners, or from the unjustified or excessive use of force by prison personnel – or whether the person's death was linked to inadequate access to healthcare. However, because the person died in custody, the State has the duty to adequately investigate the circumstances of and responsibility for the death. Failure to conduct such prompt, independent and impartial investigations constitutes a violation of the right to life, read in conjunction with the State's obligations to ensure human rights and to provide an effective remedy.

United Nations human rights investigations are regularly, and with increasing frequency, called upon to "identify those responsible" for violations and crimes falling within their mandate. Presences carrying out monitoring work may also gather information relevant to attributing responsibility to individuals who may be responsible for human rights violations and associated crimes. Identifying those responsible poses complex legal and methodological challenges, which are dealt with further in the OHCHR publication *Who's Responsible?*.[26]

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23 Where an entity or individual is involved, he, she or it must have been acting at the time as an agent of the State or with the consent or acquiescence of the State, such as to attract the responsibility of the State under international law. The following can trigger State responsibility:
- An individual employed by the State or empowered to exercise elements of State authority, or otherwise in a position to invoke State responsibility;
- An organ of the State (e.g. a department, ministry or unit);
- A branch of its armed forces (e.g. security services, air force);
- Persons or groups acting in fact on its instructions, or under its direction or control;
- Private persons or groups whose actions the State has acknowledged and adopted as its own conduct. See the articles on responsibility of States for internationally wrongful acts, adopted by the International Law Commission at its fifty-third session in 2001, reproduced in the *Yearbook of the International Law Commission, 2001*, vol. II, Part Two (United Nations publication, Sales No. E.04.V.17 (part 2)), arts. 4–11. The elements in these articles are generally accepted as reflecting customary international law.

24 In the case of breaches of international humanitarian law, it will be necessary to demonstrate that the relevant act or omission was attributable to a party to the conflict.

25 On the topic of businesses and human rights, see the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex), endorsed by the Human Rights Council in 2011 (A/HRC/RES/17/4).

26 OHCHR, *Who's Responsible? Attributing Individual Responsibility for Violations of International Human Rights and Humanitarian Law in United Nations Commissions of Inquiry, Fact-Finding Missions and Other Investigations* (New York and Geneva, 2018).

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6 Identifying root causes of violations

Human rights problems are often the result of much deeper and complex underlying causes. Documenting incidents or issues that amount to violations in the short and medium term is important but, in order to have a stronger longer-term impact, presences should also address the root causes of human rights problems. HROs may therefore subject the information they collect to an analysis of possible root causes leading to such violations. This analysis should consider contextual and historical information, taking a broader perspective on the facts under investigation so as to place them in the context of other similar incidents, existing legislation, policies or practices. For instance, violations against certain religious groups may be based on structural violence rooted in historical inequities between different groups, a history of political oppression, sectarianism, racism, or entrenched discrimination, which in turn may have led to unequal enjoyment of economic, social and cultural rights – or they may constitute a denial of the exercise of political rights.

Democratic People's Republic of Korea

The United Nations commission of inquiry on human rights in the Democratic People's Republic of Korea situated the human rights situation in the context of the historical and political experiences of the Korean people. The particular nature and the overall scale of human rights violations in the State was thought to be more easily understood by appreciating the nature of the country's political system – based on a single party, led by a single supreme leader, with an elaborate guiding ideology and a centrally planned economy. The commission identified the root causes of the food shortages and mass starvation that had killed hundreds of thousands of people in the country, which included policies dating back to the establishment of the State: the imposition of a planned economy overly focused on heavy industry; an input-intensive collectivized agricultural system; tight control over individual life choices without respect for relevant principles of participation and good governance; misguided spending priorities which maintained an oversized and unsustainable security apparatus; and discriminatory patterns of food distribution that served political imperatives.[27] Exploring this background allowed the commission of inquiry to make more tailored recommendations to address the ongoing violations.

27 A/HRC/25/63, para. 25; A/HRC/25/CRP.1, from para. 85 and para. 119.

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Bangladesh[28]

The OHCHR report on the protests in Bangladesh in 2024 delved into the root causes of documented human rights violations, identifying systemic issues within the country's political and security frameworks. One significant factor that was highlighted was the entrenched culture of impunity among the security forces, implicated in numerous extrajudicial killings and enforced disappearances and in the overall use of excessive force against protesters. This unchecked power fostered an environment where law enforcement operated without accountability, leading to widespread abuses. The report pointed to the suppression of dissent as a critical root cause. The Government's use of draconian laws such as the Digital Security Act stifled free expression and targeted journalists, activists and opposition members, creating a climate of fear and limiting democratic space. Furthermore, the marginalization of minority communities, including Hindus and Indigenous groups, exacerbated social tensions, as these groups often faced targeted attacks and discrimination. The report emphasized that these systemic issues were compounded by a lack of judicial independence and political will to address human rights abuses, perpetuating a cycle of violence and injustice. The report considered that addressing these root causes required comprehensive reforms to ensure accountability, protect freedoms and promote inclusivity within the societal and political structures of Bangladesh.

28 OHCHR, *Fact-Finding Report: Human Rights Violations and Abuses related to the Protests of July and August 2024 in Bangladesh* (Geneva, 2025), pp. 70–73.

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MANUAL ON human rights MONITORING

This chapter forms part of the revised *Manual on Human Rights Monitoring*. Following the success of its first edition, published in 2001, the Office of the United Nations High Commissioner for Human Rights has updated and restructured the *Manual*, to provide the latest and most relevant good practices for the conduct of monitoring work by human rights officers, under the approach developed and implemented by the Office.

The revised *Manual* provides practical guidance for those involved in the specialized work of human rights monitoring, particularly in United Nations field operations. This publication comprehensively addresses all phases of the human rights monitoring cycle, setting out professional standards for the effective performance of the monitoring function. It also outlines strategies to maximize the contribution of monitoring to the protection of human rights.

While each chapter has been made available separately, linkages with other chapters are highlighted throughout. A full reading of the *Manual* is thus recommended for a comprehensive understanding of human rights monitoring.

This tool has been tailored to the everyday needs of United Nations human rights officers in the field. The methodology it sets out would, nonetheless, be of equal relevance to others tasked with human rights monitoring functions. Its wider use and application by regional organizations, national human rights institutions, non-governmental organizations, relevant governmental bodies and others is strongly encouraged.









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