**Securing the Past, Acknowledging the Present: A Guide to Broadening the Utility of Human Rights Documentation**

**About the Author**

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Her experience spans start-ups and large institutions; the public and private sectors; and work across justice, human rights, technology, and climate. A keen strategist, she has conceptualized, built, and led internationally-focused initiatives at a wide range of organizations, including the Brookings Institution, US Department of State, UN International Criminal Tribunal for the Former Yugoslavia (ICTY), and the American Bar Association. She is a member of the International Criminal Court’s Technology Advisory Board and a sought-after advisor and speaker on security and documentation efforts in complex human rights environments.

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**I. Introduction**

In many ways, we are in a golden age for human rights documentation. There have never been so many tools to safely gather and share information about human rights violations around the world. Social media platforms, decreasing costs of satellite imagery, and a growing number of global communication technologies (e.g., smartphones, free international text messaging apps) have enabled an increasingly wide range of individuals the tools and means to document their lived reality and share it with those in a position to create meaningful change.

At the same time, we are seeing a decrease in freedom and a worrying rise in authoritarian tendencies across the world. Space for dissent continues to shrink. The same tools that increased our ability to document violations have also been manipulated to track, attack, and discredit people who are fighting against those abuses. The tactics that we have traditionally used to prevent and stop human rights abuses in the past seem to have lost some of their effect.

Questions of “why” tend to percolate when shifting resources toward human rights documentation is mentioned: What is the point if we can never arrest the perpetrators of these abuses? Why should we document if “no one” listens? Why should we do this if there is no court willing to hold a trial?

This guide intends to offer some answers to these “whys” by expanding the often-narrow understanding of how human rights documentation can be used, and who benefits from its creation and use. It will dive into the increasing range of tools used in documentation efforts, as well as the varied uses and goals for documentation. It also examines how uses for documentation can materialize over time and are not always readily apparent. Additionally, as it speaks to a more expansive documentation ecosystem, it lays out in its last section questions to consider before, during, and after documentation efforts.

**What This Guide is and What it is Not**

This guide is not meant to be an inclusive handbook or manual on how to conduct documentation efforts. It is an overview to documentation efforts, how they can be conducted, and how documentation can be used. Should you want to dive into more detailed manuals, there is a comprehensive resource list in section VII.

This guide is intended to show the range of documentation efforts that are possible: both in terms of tools and in terms of purpose. It is also meant to demonstrate the need for multiple types of documentation efforts and how these efforts can ultimately be complementary and to the larger benefit of affected communities and their allies. Lastly, it aims to show that while the importance of documentation may not always reveal itself in the short-term, uses often emerge in the mid- and long-term. Human rights documentation is not only useful in the immediate conflict and its aftermath, it can be – if handled properly – used for a host of justice and accountability initiatives over time.

**II. Defining Human Rights Documentation**

**What is Human Rights Documentation?**

Documentation can – and does – happen with any event. At its most basic level, documentation is a process of recording facts and producing and/or collecting information related to a specific event or series of events. In a 2003 report seeking to make sense of the various definitions that its staff and partners were using, the non-governmental organization (NGO) Human Rights Information and Documentation Systems (more commonly known as HURIDOCS) came up with the following definition:

Documentation is a process consisting of several activities, namely:

* 1. Determining what information is needed and establishing means for acquiring it;
	2. Recording [and storing] discovered information […] or collecting already-existing documents containing the needed information;
	3. Organizing the documents to make them more accessible; and
	4. Actually providing the information to users in need of it.[[1]](#footnote-1)

Taking this definition into the human rights space, documentation can be defined as a way of knowing, obtaining, organizing, preserving, understanding, and using information on human rights abuses.[[2]](#footnote-2)

**Building Understanding of a Situation: Data, Information, Evidence, and Knowledge**

Another way to explain human rights documentation is as a process to gain understanding and knowledge about a certain set of events. The process of documenting human rights abuses takes pieces of gathered data and moves them through the knowledge hierarchy, first introduced by Russell L. Ackoff.[[3]](#footnote-3) We often use the words data, information, evidence, and knowledge interchangeably; however, they are distinct terms with specific meanings. While it may seem esoteric to dive into these distinctions, the moving of events-based data – like that at the core of human rights documentation – through the knowledge hierarchy demonstrates what it takes for the raw data we collect to become part of our historical records in some form. In short, it helps break down the question: How do we generate knowledge about human rights violations?

For the purposes of this discussion, we will use the modified version of Ackoff’s hierarchy proposed by Professor Olaf Dammann, Vice Chair of Public Health and Community Medicine at Tufts University School of Medicine, which includes the development of evidence as part of this paradigm.[[4]](#footnote-4)

**Data** are raw facts collected and gathered. They are the building blocks, the individual elements that you collect. They can be documents, sound or video recordings, images, or transcripts.

**Information** is data in context. We gain information by collecting, aggregating, analyzing, and presenting data in a way that increases our understanding and organizes our thinking. “Information is data that have been processed so it is clear what they are about.”

**Evidence** is “information that bears on the truth of a proposition compared to a standard.”

“Actionable **knowledge** is usually generated from coherent evidence from multiple independent sources of information.”[[5]](#footnote-5)

*Moving from Data to Information.* Collecting individual pieces of data – documents, photos, videos, testimonies – provides you with scattered pieces of the puzzle. Comparing the individual pieces of data and putting the data points into the context allows the larger picture to become clearer. This is a process akin to layering in which different types of data, different types of analysis, and different sources of data come together to build up context and clarity.

*Moving from Information to Evidence.* As context is added and clarity gained, two things happen according to Dammann’s paradigm. First, a hypothesis or proposition is formed. At the most basic level, this hypothesis should ask: does the information collected about the situation or events show that human rights violations are taking place? Second, that hypothesis is compared to a standard. For determining human rights violations, those standards are found in international and national legal frameworks. The complexities of the standards mean that specialized assistance is necessary and should involve experts in the appropriate legal field (e.g., international human rights law, international humanitarian law, international criminal law). Depending on the purpose of your documentation effort, this step may or may not be necessary.

*Moving from Information/Evidence to Knowledge.* As we test our information against the human rights standards, knowledge is created. We compile information and evidence from a variety of sources and create accurate knowledge as to what happened in the particular situation.

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| **Explanations of Data, Information, Evidence, and Knowledge (Adapted from Dammann)[[6]](#footnote-6)** |
| **Concept** | **What is it?** | **How is it Produced?** | **Goal?**  |
| **Data** | Numbers, symbols, text, images, sound/video recordings, unit values | **Collected** from field research, databases, measurements, observations | Use as raw data or for information generationStorage, curation, retrieval |
| **Information** | Data in context | **Contextualization** by making data useful, and using them for specific tasks | Use as a source for answering questionsStorage, curation, retrieval |
| **Evidence**  | Useful, contextualized information  | **Comparison** with standards, reference values and information | Use for analysis and testing to support claims and decision-making |
| **Knowledge** | Evidence-based (predictive, testable, consistently successful) belief | **Consensus** based on reasoning and discussion | Justification |

Moving through the stages of this paradigm can happen multiple times as new data is collected or as situations evolve. It is an ongoing, constant process that can deepen our understanding of the present, help to deal with the past, and frame the future. It can also be the case that there is tension in knowledge creation, particularly when human rights documentation is used for multiple purposes over time or when courts are involved. As noted above, evidence is created against a certain standard, and sometimes these standards limit the amount or type of documentation that is accepted into proceedings and the levels and materials needed to prove abuses will differ from truth and reconciliation commissions or community processes. Daniela Accatino and Cath Collins speak to the interactions of “judicial truth” and “social truth” and how the rules of evidence and standards of proof can “challenge and transform, in sometimes unpredictable ways, the social legitimacy or veracity previously attributed to such data.”[[7]](#footnote-7)

While knowledge creation is iterative – and as seen above – far from linear, it is also critical that, “…[p]ractical measures of dealing with the past [are] underpinned by accurate knowledge of violations and the contexts which made them possible. At a deeper level, [the knowledge creation of the human rights documentation process] can shape narratives of the past and the future, and can arguably help to define a new social contract between citizens and the state following gross human rights violations, and give voice to ongoing tensions and disagreements about what, in fact, constitutes the past.”[[8]](#footnote-8)

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Where is the knowledge we have lost in the information?

* T.S. Eliot, *The Rock*[[9]](#footnote-9)

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**The Documentation Stack**

In this day and age, there are more ways than ever to document and collect data on human rights violations, increasing our abilities to generate information and knowledge about these events. From direct social media posts from victims or perpetrators to satellite imagery, we can garner information from a variety of sources and tools. This set of tools could be referred to as the documentation stack. A “stack” is a term taken from the technology field, where a “tech stack” refers to the “collection of tools, platforms, apps, and pieces of software that a company uses to build its products, carry out its business operations, and monitor its performance.”[[10]](#footnote-10)

The documentation stack could be defined similarly as a set of resources, tools, pieces of software, apps, and platforms that are used to gain data and information about human rights abuses. The advent of social media and the lowering costs of technologies mean that the documentation stack has grown in recent years, and includes:

* Social media posts
* Personal statements (testimony) from witnesses, victims, perpetrators
* Physical documents
* Videos
* Pictures
* Satellite imagery
* Geolocation/mapping tools
* Sensors
* Law/policy monitoring
* Surveys/statistical monitoring
* Eyewitness/bystander reporting
* Media reporting
* NGO reporting
* Physical forensic tools
* Digital forensic tools

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**What About OSINT?**

OSINT stands for open-source intelligence. The Berkeley Protocol on Digital Open-Source Investigations defines it as “publicly available information that any member of the public can observe, purchase or request without requiring special legal status or unauthorized access.”[[11]](#footnote-11) Many of the tools listed above *can provide* publicly available data (or open source intelligence, in this parlance), but can also yield closed source (i.e., not publicly available) data. It is also important to note here that while digital open-source information is relatively new (including the sheer amount of it in certain contexts, such as Syria and Ukraine), open-source information can also include documents, radio programming, or newspaper articles.

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The increasing variety of documentation tools has led to what is often called the “democratization of human rights documentation,” particularly as tools become more widely accessible, such as mobile internet, better and smaller mobile cameras, and dedicated apps on personal mobile devices. Mobile phones do make it easier for people to document abuses, but the ability to pull out a phone and record a possible human rights violation is far from universal. Factors that limit people’s ability to openly document abuses include:

* ***Lack of Access.*** Mobile phone and internet usage are increasing rapidly, but as of October 2022 *more than one third of the world’s population is still without internet access*.The majority of those without access (just under 3 billion) reside in south and east Asia and Africa.[[12]](#footnote-12) Many places remain “off the online map.” Additionally and relatedly, the structure of the internet is not neutral and not all places or regions have the same resources and tools (e.g., lesser-known or more uncommon languages are often badly referenced by Google and other search engines, and there continue to be countries or regions where Google Street View or similar street-level imagery does not exist).
* ***Asymmetric Risk Profiles.***Therisk associated with documenting possible abuses can range greatly depending on where you live and who you are. There are a multiplicity of media and information environments globally. The ability to freely document possible human rights abuses requires a baseline of rights and capacities (e.g., right to record and publish videos, access to internet, freedom of movement, etc.) that are not present everywhere. Even in places where these rights are enshrined in law, they may not be equally accessible to all groups within that society at all times.
* ***Internet Shutdowns.*** An internet shutdown is an “intentional disruption of internet or electronic communications, rendering them inaccessible or effectively unusable, for a specific population or within a location, often to exert control over the flow of information.”[[13]](#footnote-13) Governments have shown an increasing willingness to shutdown internet access around events where human rights violations may take place (such as protests or elections) to decrease exposure and hamper documentation efforts. Research by the NGO NetBlocks shows that shutdowns are disrupting networks for longer periods of time and over greater geographical areas (i.e., not just a region, but an entire state).[[14]](#footnote-14)

The Russian invasion into Ukraine is arguably the most heavily documented conflict in history, with a massive trove of visual imagery and other forms of documentation that has almost certainly already surpassed the rate and volume of documentation in Syria, the previous benchmark. However, this is far from the norm. While documentation rates have increased thanks to the new tools in our documentation stack, there remains too great a disparity in documentation capacity and reach between conflicts. This means that in some cases there is an over-abundance of documentation and a paucity of documentation in others.

The more tools in the documentation stack, the greater redundancy built into the human rights information gathering ecosystem. Redundancy makes it harder to hide, obfuscate, or ignore concerns of ongoing violations for two critical reasons:

* ***Redundancy Limits Reliance on a Single Documentation Tool.*** For example, if a government shuts down the internet networks around an election, ongoing local monitoring networks can still document events on the ground and satellite imagery can still produce time-lapse images, even if social media sites and internet access is blocked. If the cost of satellite imagery is prohibitively expensive, then surveys can help to understand the movements of people. In visual terms, if you think of each documentation tool as a block in the stack, the more blocks we have at our disposal, the less disruption is caused when blocks are pulled out of the stack. In other words, it is getting harder for nefarious actors to control and/or stop *all* information flows around a given event. It is also becoming increasingly noticeable when they do try to control or stop information flows, which serves as an indicator in and of itself.
* ***Redundancy Makes it Easier to Verify and Confirm that Violations are Happening.*** The increasing number of methods and tools to document human rights violations means that human rights documenters can pull multiple streams of data together to fortify information against attack, denial, or alternate theories of what is happening. Again, thinking visually, the more blocks in the stack, the heavier the weight of the stack. Similarly, the more tools and means available to verify our information, the more weight the information and analysis have. To investigate the cluster munitions attack on the Kramatorsk station in Ukraine, SITU Research and Human Rights Watch combined witness testimony, munition performance, satellite imagery, and video documentation.[[15]](#footnote-15) *The New York Times* used media reporting, satellite imagery, social media, mapping, and video documentation to explain the April 2023 outbreak of fighting in Sudan.[[16]](#footnote-16)

Redundancy increases the resilience of our data and information, strengthens our analysis, and makes it harder for detractors to deny the truth. The more tools we can add to our documentation stack throughout our communities of practice, the greater the chance we have of creating impact – however we define it – with our documentation efforts. And while it can be enticing to focus on the “shiny” new tools that are surfacing, these are best complemented and used in concert with the tools and skills that are already in our documentation stack.

**Moving Beyond Civil and Political Rights**

Political events are intertwined with the economic, social, and cultural fabric of a society. As the spectrum of rights spans across all of these aspects of a society, so does the importance of documenting violations of these rights. Documentation is at its core just a methodology with a set of tools. The brilliance of focusing on the methodologies and tool development is that they have the ability to become multi-use. For example, communities and activists that learn how to document political hate speech can use those methodologies to document the consequences of female genital mutilation in their communities. Satellite imagery that is used to understand when a town was firebombed can also be used to understand how agricultural patterns are affected by drought.

The UN Office of the High Commissioner for Human Rights (UN OHCHR) writes in their *Manual on Human Rights Monitoring* that community- or event-specific documentation on economic, cultural, and social rights can “highlight emblematic situations which may exemplify broader trends or shortcomings.”[[17]](#footnote-17) They further highlight the importance of documentation as a critical component for in-country teams to be able to understand “the nuances [around] a specific event, such as the impact on an ethnic minority of closing down a school in a particular neighbourhood’, or the impact of discriminatory laws and policies on specific communities.”[[18]](#footnote-18) In short, the *Manual* speaks to the ability of documentation to provide context and analysis for a wide variety for rights violations that reach far beyond traditional documentation of traditional conflicts.

Additionally, this holistic approach to rights documentation allows us to shed light on root causes of rights violations, including corruption and economic inequality, and to understand risk factors that could spur future atrocities, conflicts, or disasters.

Taking a holistic rights documentation approach is even more important as the climate crisis continues to bear down on us. The need to understand the broad scope of the impact of climate change on communities – and its interconnection with human rights violations – is in dire need of exploration. In a January 2023 interview, International Crisis Group President and CEO Comfort Ero stated, “[o]f the countries most affected by climate change, something like half are also affected by conflict; and of climate IDPs – internally displaced people – something like 88 percent of them are in conflict-affected countries.”[[19]](#footnote-19) Liela M. Medani works with Waging Peace, a charity that campaigns against mass atrocities and human rights abuses in Sudan and supports Sudanese individuals in the UK diaspora, including those who live as refugees or seek asylum, to build meaningful lives. After a summer 2022 trip to visit her family in Sudan, she memorialized in a series of WhatsApp messages how the military junta was weaponizing access to cooling and hydration during a climate change-driven heatwave:

Can you imagine when temperature exceeds 30°C with no fresh air or active cooling facilities? Can you feel the pain when the temperature rises to the highest? Bear in mind that the hours of the systematic power switch-off increase & coincide with the demonstrations calling for the government & regime change.

[…]

The final strike: they forced a directive to switch off electrical power during demonstrations against the regime, high temperatures plus no electricity during this time plus toxic fumes emitted from the poisonous tear gas, a lethal weapon leading to slow death.[[20]](#footnote-20)

Additionally, there is an increasing and urgent need to explore the human rights effects of climate mitigation strategies, so as to ensure that we are not replicating unequal and rights-abusing practices that underpin so many of our current industries and economies. As Adrian Di Giovanni and Georgina Cundill-Kemp from the International Development Research Center note in a June 2022 blog post:

[t]he calls for climate justice rarely point to the anticipated push for ambitious climate actions in the coming years and their potential negative impacts on vulnerable and marginalized populations, especially in the Global South. In the decade ahead, societies around the world will initiate and feel the impacts of multiple societal responses to climate change. These responses will take place locally, nationally, and on a global scale; they will occur simultaneously and likely interact with one another in unpredictable ways. Together, these responses – or the failure to respond – will bring with them societal transitions that could exacerbate existing inequalities and injustices or create new ones.[[21]](#footnote-21)

The current polycrisis of rising authoritarianism, catastrophic climate change, and growing inequality dictates that we think creatively and collectively about documenting abuses that arise from the intersection of these crises. In a 2022 South Sudan briefing, the International Crisis Group addressed resource competition and displacement as both conflict *and* climate concerns. The multimedia briefing demonstrated how unprecedented flooding displaced an ethnic community, pushing them into an area where they clashed with farmers over resources and furthering the chances of inflaming civil war.[[22]](#footnote-22) As these crises continue to overlap and compound, documenting the linkages and intersections between rights – whether civil, political, economic, or social – and stressors, should be an increasing focus of human rights documentation efforts.

**III. Utility or Usefulness of Human Rights Documentation**

Often when we think about the use of human rights documentation, we think about its use in large courtrooms or tribunals: the prosecution of perpetrators and the pursuit of justice. While this may be the most high-profile use, it is far from the only one. Documentation of human rights violations can also help increase personal resilience, release trauma, fortify memory, create mutual understanding of past events, and educate children. Some uses for documentation may only matter to a single person or to a specific community or population, or they may resonate globally.

We often judge things by how efforts “scale” and reach more people and more communities. The basics and the abilities around human rights documentation are indeed scalable; however, scale may not be the best metric when we assess of the utility of human rights documentation. The impact of human rights documentation can range from the individual to the globe, and all of this impact is important in promoting and ensuring the centrality of human dignity.

One way to think through the utility of human rights documentation is to assess its purpose. Some of the purposes of human rights documentation beyond the courtroom include:

* ***Agency.***Victims and bystanders may feel helpless in the face of overwhelming pressures created by the oppressive environment they are living in. They may feel their own narratives shifting as oppressors take over the media and information environment – questioning their own lived experiences. Documenting abuses and the related context can give them strength and agency to stand strong in their own knowledge and experiences. The NGO Videre est Credere works directly with community leaders and activists documenting human rights violations and often hears that “this work makes me feel like I am doing something valuable for me and my community.”[[23]](#footnote-23)

The International Center for Transitional Justice has written about the importance of acknowledging the experiences and opinions of victims, accounting for their lived reality and recording their memories. “Authoritarian regimes tend to manipulate the truth, especially to maintain power after a conflict or period of violence. For example, in the 1980s, the Syrian regime suppressed the truth about the Hama Massacre, when the President Hafez al-Assad ordered the city of Hama to be razed in order to crush a Sunni rebellion, with an estimated 20,000 killed. To this day, it remains unclear what happened during the massacre, and victims have not received any form of justice.”[[24]](#footnote-24)

Acknowledgement creates avenues to meaningful action for local organizations and the international community to take meaningful action “foster[ing] their right to the truth, counter[ing] denial, and ensur[ing] that crimes…are not completely disavowed or forgotten.”[[25]](#footnote-25)

* ***Healing.***Sensitive human rights documentation can also help with trauma recovery and healing. Narrative biographical interviews, artistic expressions of past events, storytelling, and other truth and reconciliation activities have been shown to promote individual and collective healing. Narrative biographical interviews – like any form of testimony-taking – require a high level of care, planning, and sensitivity to prevent re-traumatization.

For example, in 2017, the members of the Global Initiative for Justice, Truth and Reconciliation (GIJTR) trained East African activists to lead body mapping workshops with survivors and community members. Body mapping is an arts-based documentation process through which survivors share their stories of the pain, violence, and displacement through life-sized drawings of their own bodies that are complemented by symbolic descriptions of past trauma. The completed body maps are preserved and exhibited, encouraging additional community dialogue and helping survivors achieve a feeling of recognition for the experiences they have endured. Participants in community workshops have been able to find relief through sharing their stories and developing these drawings. As one body mapping participant shared, “If this methodology could be encouraged, it will contribute [to] the process of reconciling individuals [and thus] groups." Another shared, “This work is taxing; as we hear others tell their stories, it reminds us of our own stories. But it is worth doing it if we want to see people healed from bitterness of the past. Let us continue doing it."[[26]](#footnote-26)

* ***Awareness.***Human rights documentation can raise awareness locally, regionally, nationally, and internationally to what is happening and give rise to alternative narratives. Awareness-raising efforts – whether through NGO advocacy, grassroots campaigning, media articles, or social media posts – increase the number and range of voices, leverage, and pressure points. Raising awareness can be the end goal of a documentation effort, but more often awareness-raising efforts lead to another purpose, whether targeted at an individual, community, or country.
* ***Community Building.***The information obtained through human rights documentation efforts can also forge new communal bonds and identity. This community building can happen at various levels of community: local, regional, national, or global – but at its core, it is about how documentation can shift and shape community values by bringing new perspectives to light in a way that the community itself can hold and embody. This could be accomplished through advocacy campaigns, artistic expression (such as theatre, visual arts, storytelling, music), or grassroots organizing.

For example, in Colombia, in 2020, GIJTR members supported the El Castillo communities in producing handmade rag dolls containing MP3 recordings of testimonies of families and victims of the armed conflict. The dolls were exhibited in schools and churches, and members of the community quickly became interested in making their own dolls to remember lost ones. Similarly, in the Wayúu communities, a group of women developed a memory initiative where they invited members of the community to knit Wayúu handbags representing lost ones or concepts of peacebuilding. The bags were then filled with messages, pictures, and symbolic representations, and taken from village to village to create “sharing moments” where reading the messages and showing the pictures triggered memories and people started to share their stories. At the end of the sessions, the organizers collected testimonies in a portable recorder to share in future meetings, adding to the reconstruction of the social fabric.[[27]](#footnote-27)

* ***Policy Development and Enforcement.*** Documentation efforts can also point to policies and laws that could have prevented violations or helped end them sooner. By creating understanding of the context that gave rise to the violations, victims and their advocates can push for new policies to be put in place or the better enforcement of policies and laws that are already on the books.

At the governmental level, Airwars – a NGO founded in 2014 to document and assess the civilian toll of conflict, with a particular focus on the deaths and injuries caused by airstrikes – has engaged with the US Department of Defense (DoD) over the last eight years to advocate for improved investigations and responses to civilian casualties, based on the granular findings of our casualty documentation efforts. A direct result of this engagement was the publication by the DoD of a new Civilian Harm Mitigation and Response Action Plan (CHMR-AP) in August 2022.[[28]](#footnote-28) This plan lays out actions DoD will take to mitigate and respond to civilian harm in armed conflict, including the creation of new institutions and processes, responding directly to many of the recommendations made by Airwars and others.[[29]](#footnote-29)

Another example on the international level is the use of information on casualties among education personnel, compiled by organizations like Insecurity Insight.[[30]](#footnote-30) This data has been used by the Global Coalition to Protect Education from Attack **to advocate internationally for preventive measures and improved accountability, leading to the successful** adoption of the Safe Schools Declaration**.[[31]](#footnote-31)**

Based on powerful information collected by civil society organizations, the Lawyers for Palestinian Human Rights (LPHR) used the complaint mechanism set out in the OECD Guidelines for Multinational Enterprises to file against the British manufacturer JCB based on powerful evidence collected by civil society organizations.[[32]](#footnote-32) In its complaint to the UK National Contact Point for the OECD Guidelines, LPHR argued that JCB’s products and construction machinery were used in the demolition of Palestinian properties and settlement-related construction in the West Bank, including East Jerusalem.[[33]](#footnote-33) The UK National Contact Point concluded that that JCB did not observe the OECD Guidelines by not having a policy commitment to respect human rights and by not carrying out human rights due diligence in its supply chain.[[34]](#footnote-34) One year after this conclusion, JCB adopted a new human rights policy. While it appears to be quite limited in scope, the adoption alone of such a policy signals a first step in the right direction.

* ***Educating and History Building.***Distinct from raising awareness, this speaks directly to how history is taught. Documentation efforts can help in reframing more inclusive narratives of both current events and history by providing books, reports, and online materials that can be used in classrooms and other educational centers. *“*Education can address inequities and past violence and simultaneously support critical and autonomous thinking about society.”[[35]](#footnote-35)

The book *Lost Lives* chronologically documents the circumstances of every violent death during the 30-plus years of the Northern Irish “Troubles,” memorializing more than 3,700 named individuals.[[36]](#footnote-36) Regarded as “a monument to the dead and an act of historical recovery simply because it recorded all the deaths without judgement,” a church in Dublin has read the list of names every Easter weekend for at least 14 years as an act of commemoration.[[37]](#footnote-37) The Irish government and Northern Ireland Executive have discussed buying the rights to the book and making it freely available online as an all-island, cross-party initiative to deal with Northern Ireland’s legacy of violence.[[38]](#footnote-38) Victims and survivor groups have advocated for the book to be made freely available in schools and libraries.[[39]](#footnote-39)

To ensure the memory of and educate the public about human rights abuses of past authoritarian regimes, an alliance of Argentinian human rights organizations formed Memoria Abierta. This alliance is an ongoing effort that builds accessible archives; collects oral histories; maps detention and torture sites; and organizes trainings, workshops, and public events with the aim of building out tools to remember the immediate past and reflect on the present.[[40]](#footnote-40)

* ***Naming and Shaming.*** Governments, civil society organizations, journalists, international organizations and others seek to highlight human rights violations with the hopes of shifting perpetrator behavior and stopping abuses, commonly referred to as naming and shaming. To have the biggest impact, naming and shaming needs to be done by a group that has influence or sway over the person or group being named and shamed. Sometimes this can happen through what is known as the “CNN Effect,” where publicizing the issue leads to action. BBC Chief International Correspondent Lyse Doucet has noted that the CNN Effect worked to some extent to keep Syria on the agenda for the US administrations of both Presidents Obama and Trump.[[41]](#footnote-41) There is also some evidence that naming and shaming by human rights organizations can increase the likelihood of humanitarian interventions, preventing further violations.[[42]](#footnote-42) However, there is also evidence that violations can increase in the immediate aftermath of such publicity. [[43]](#footnote-43)

When publicity and NGO shaming do not hold sway, tactics can and should shift to find and understand what influence might yield a positive effect. Recent research suggests that *who* is doing the naming and shaming also matters, suggesting that it isn’t just the publicity alone that triggers changes.[[44]](#footnote-44) To understand who may hold influence, network mapping is particularly useful and can help to illuminate connections that may not have been obvious at first. Network mapping can also highlight other individuals or groups that could yield to the pressure of a naming and shaming campaign.

* ***Restitution and Damages.*** Beyond criminal prosecutions, human rights documentation can play a role in court cases that seek monetary compensation for victims where legal structures allow. For example, event reconstruction and analysis by the social impact architecture and design practice SITU Research was recently used in a class action lawsuit for the Mott Haven, NY, protest on June 4, 2020, which culminated in one of the highest per-person settlements awarded in a case of mass demonstration protests in the United States: the settlement provides more than 300 protesters with $21,500 each.[[45]](#footnote-45) Building on this result, SITU Research was approached last year by a consortium of attorneys from the National Lawyers Guild (NLG) – who formed the NLG-NYC Floyd/BLM Civil Litigation Taskforce – to support their case, which claims violations of the US and New York state constitutions, including unlawful seizure, false arrest, and excessive use of force of nearly 3,500 people in over 80 locations. In support of this case, SITU has analyzed open- and closed-source information in support of a soon-to-be-filed class action civil rights lawsuit against the City of New York (Sow v. City of New York) following a series of heavily policed protests during the 2020 Black Lives Matter movement in New York City.
* ***Memorializing.***The convergence of art and history has led to the creation of powerful monuments dedicated to preserving the memory of atrocities. These can be in physical or in online spaces. Documentation efforts are able to provide curators, artists, and historians with the names of victims, physical artifacts and documents, and data about the events that allow the memorials to speak directly to the context that they seek to make permanent. The process of creating and designing the memorial is as important – some say more important – than the physical manifestation of the memorial itself. Experts suggest that the process should be consultative, impartial, inclusive, and legitimate, reflecting on the totality of the past while being dynamic enough to stay relevant.[[46]](#footnote-46) In the words of the Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence, “in transitional contexts, memorialization processes must aim at building a democratic, pluralistic, inclusive and peaceful society, restoring dignity to victims and enabling society to regain trust and foster reconciliation.”[[47]](#footnote-47)

The Ojo que Llora (Eye that Cries) is a memorial in Lima, Peru, dedicated to commemorating the victims of that country’s armed conflict over the last two decades of the twentieth century. Around the memorial, which takes the form of a fountain/sculpture of an eye that permanently cries, families place small stones with the names of their lost relatives.[[48]](#footnote-48) The memorial has not been immune from controversy and has sparked important conversations about who should be counted as a victim.[[49]](#footnote-49)

The Kosovo Memory Book Database documents the life stories and circumstances of the death or disappearance of 13,535 victims of the conflict in Kosovo between January 1, 1998 and December 31, 2000.[[50]](#footnote-50) The result of years of research, it is based on direct interviews with thousands of witnesses and family members, photographs, court documents, forensic reports, records of the armed forces, reports of NGOs and the media, war diaries, and other related documents. Like *Lost Lives*, the Kosovo Memory Book Database lists the deceased by objective criteria (in this case, alphabetically). Entries are not divided by political, religious, ethnic, or military status. This combined recognition of casualties from all sides of the Kosovo conflict was a deliberate effort to create a shared societal understanding of the past, and combat ethno-nationalistic memory politics.

* ***Behavior Change.***Confronting oppressors, collaborators, and complicit bystanders with the data about the human rights violations suffered can also help to change future behavior. In the immediate term, documentation efforts can help perpetrators understand that they are being watched, which can lead to changing tactics or the cessation of violations. Over the longer-term, information and knowledge developed by documenters can help to create new social contracts between previously victimized groups and their oppressors.

For instance, violence and corruption by Kenyan police forces in the capital city of Nairobi had largely gone undocumented until a group of investigative journalists called Africa Uncensored started working with citizens to document what was happening.[[51]](#footnote-51) This visual documentation of abuse and corruption led to several TV series and social media campaigns, resulting in the removal of offending officers, public statements by government officials, and eventually to a growing willingness and ability of Nairobi citizens to openly film abuses they witnessed during the COVID-19 pandemic lockdowns.[[52]](#footnote-52) The social contract between the citizen and the police has started to change: the police recognize that abuses might be documented and posted online.

* ***Future Building.*** We often think of documentation as dealing with the past, but deepening and expanding our understanding of past events provides critical understanding necessary to shape the future. There has been a shift in recent years on how to bring more hope and positivity to conversations about human rights. The work of Thomas Coombes (also known as “The Hope Guy”) speaks to this most directly.[[53]](#footnote-53) Future building can stem from the agency, community building, and education purposes of human rights documentation to create a new version of the future by understanding where we are, how we got here, and – most importantly – learning from this to imagine a different future. While this is an underutilized purpose of current documentation efforts, there is power in using the knowledge provided by documentation efforts to create and imagine new ways of living together in community, to demonstrate what *could be* as well as what shouldn’t be.

The beauty of human rights documentation is – like all forms of information – it can be used in multiple ways and in various forms over long periods of time. The mid- and long-term usages may not be obvious in the immediate term. Documentation that may first be collected to assert agency and establish personal truth may then be used for reconciliation and community building purposes, and then for education. Video from an awareness-raising documentary could then be used to advocate for a new policy and then in a criminal prosecution.

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“We can have no idea … what sort of things are going to become history one day. Perhaps the past is still largely undiscovered; it still needs so many retroactive forces for its discovery.”[[54]](#footnote-54)

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Sometimes even the immediate use of documentation isn’t completely obvious. The arc of justice is often incredibly long and often feels beyond the horizon. However, that doesn’t necessarily mean that the purpose won’t emerge. When those who are most affected feel that something is consequential and needs to be documented, that sentiment should be respected and assistance provided.

It is hard to predict what the future will hold, how political will might shift, and what opportunities may unfold as a consequence. Often, when we are in intractable situations where solutions do not seem immediately forthcoming, the tide shifts and opportunities may unexpectedly reveal themselves. The increasing willingness of states to use universal jurisdiction to prosecute perpetrators of Syrian human rights abuses, for example, shows that even in seemingly intractable conflicts, opportunities for leverage and change exist – and are often only made possible by early documentation efforts.

Documentation is a strategic action. What isn’t collected or documented now is harder to collect in the future. As we can see from the above, there are a range of remedies for injustice, but all of them require the baseline information and knowledge creation that documentation efforts provide.

**IV. Practicalities of Documentation (or Should You Be Documenting?)[[55]](#footnote-55)**

As demonstrated in the previous sections, documenting human rights violations can successfully serve multiple purposes, fulfilling varied aims both in the immediate term and far into the future. This section will explore the practicalities of a documentation initiative, and whether you should or should not start one.[[56]](#footnote-56)

Documentation is an action that can have both positive and negative effects. As with any and every action, the opportunities that come with documenting need to be balanced against the risks. Your efforts should be ethical, respectful, responsible, and most importantly, meaningful for affected victims. To ensure that your documentation efforts are net positive, you need to understand the broader context in which you want to document and your role in it. Documentation can be broken down into six specific actions that will be explored in this section.

PLAN 🡪 COLLECT 🡪 STORE 🡪 VERIFY🡪 ANALYZE 🡪 SHARE

**Plan[[57]](#footnote-57)**

Being responsible when it comes to data isn’t only about complying with a set of predefined rules. It’s about balancing the opportunities against the risks: only collecting what we need (data minimization) or working with partners who may be better placed to collect the data that’s needed; being clear about the data you keep (and why) and the data you never collect; understanding who might be highlighted in the data you have, and who is missing from it.

**Why are you doing this?** Documenting for documentation’s sake may is not the best course of action. Before you start it is important to spend time working through your reasons, motivations, and goals for documenting human rights violations.

In the *Responsible Open Source Investigations Workbook*, Gabriela Ivens and Sam Dubberley provide an essential step-by-step mapping process to uncover your “why.”[[58]](#footnote-58) While the authors have focused specifically on open source investigations in this workbook, their exercises are an imperative foundation for any documentation effort. Notably, they start with a values exercise that determines the values that you and the people you are working with find most important and that will guide your documentation efforts.

It then moves into your goals for this work. Goal-setting at this stage is important as the process that you will undertake is different depending on how you want your documentation to be used. For example, the standards and processes you will use if you want your documentation to be used in a court of law differ from those you would use for a media campaign. They provide three questions:

1. What is your end goal?
2. How will you know if you have reached it?
3. Why are you the right group or person to do this work?

You should have clear answers to each of these **before** you start your documentation work. Sometimes these questions take a while to answer, and may require you to better familiarize yourself with the situation, actors, and operating environment before you can do so thoughtfully. The human rights documentation organization Videre spends time talking to various actors, doing desktop research, and visiting the locations where they are thinking about documenting in order to understand if they are the right people to do this work. The set of questions that Videre asks itself include:

* What will verified visual documentation add in this situation?
* Are there others who can do/are doing this work?
* What is our theory of change?
* Does the context fall within our thematic expertise?
* Who are the potential end-users for this documentation? Do we have the relationships necessary to put this information into their hands in a way that resonates?
* Are we able to operate securely within this context?
* Are we able to operate in this context from a logistics perspective?

**What is Your Added Value?** **Collaborate, Don’t Duplicate.** In most every situation, there are actors who are already working on the issues you want to document or on closely related subjects. As more and more actors take up documentation efforts, the next question it is critical to ask is what added value is your documentation bringing to this ecosystem. Doing this will require you to map out who is doing what. The “who” in this instance could include human rights organizations, community-based organizations, journalists, governments, international organizations, and/or social media creators. In other terms, this is could be considered a network analysis of the players in the landscape and what they are contributing.

As you conduct this network analysis, three questions should be at the forefront of your mind:

1. What are the gaps in this documentation effort?
2. Do my skills/experience add value to current efforts by filling one or some of these gaps?
3. Is it possible to join forces with one or a group of the current actors?

Before establishing a new documentation initiative, consider if it would be possible to join forces with one of the current players. It is easier to incrementally add a new topic, location, and/or methodology to the operation of an existing organization or collaborative rather than creating a new one, which will compete for resources and attention. And it would surely be a waste of resources and efforts to duplicate work that is already being done.

It is also important to remember that documentation is one piece in a larger puzzle. Collaboration is often the key to successful work. Even large, well-resourced groups like Human Rights Watch and Amnesty International rely on other actors to build out a larger picture around their documentation and advocacy efforts.

You may ask: what is the harm in duplicating documentation work that someone else has done? Over-documentation has real risks. In fact, the current Prosecutor of the International Criminal Court, Karim Khan, has noted that the “over-documentation” of war crimes and rights abuses must be avoided. He has noted specific examples of Rohingya rape victims being interviewed 10 to 15 times “in a way that is unacceptable and obscene.”[[59]](#footnote-59) Over-documentation can lead to re-traumatization and victim fatigue. It can also interfere with ongoing legal investigations – for example, when a reporter interviews a survivor who then potentially becomes tainted as a witness by having a narrative about their experiences circulating that may compete with their testimony in court. Even beyond over-documentation, re-traumatization is an inherent risk of documentation work, particularly when working directly with survivors and victims and/or on highly sensitive topics such as sexual violence. Conducting interviews is a highly-specialized process and should only be undertaken by experts.

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**[A NOTE ABOUT CONSENT]**

It is best practice to seek informed consent before conducting any documentation action, but what is informed consent? Gabriela Ivens and Sam Dubberley provide us with a good breakdown:[[60]](#footnote-60)

**Notice or Disclosure**: The consent process must ensure that the person is informed of the nature and purpose of the investigation, the expected benefits (if any), the reasonably foreseeable risks, how their information might be reused or shared, the option of not participating, and the procedures for confidentiality and anonymity.

**Capacity, or Understanding**: The information must be easily understood in that specific context (language, technical jargon) and the person must be given the opportunity to have any questions answered.

**Voluntariness**: Consent must be voluntary, free of any coercion or inflated promise, and not involve people who have power over those being asked to give consent. In the development context, however, it is difficult, if not impossible, to remove unequal power dynamics entirely.

**Competence:** The participant must be competent to give consent and not incapacitated due to mental status, disease, or emergency.

Often times, gaining consent is an evolving and ongoing process. Even if a piece of information is publicly available, it does not necessarily mean that the person who uploaded the data or the people who might appear in it would consent to how you want to use that piece of information.

Sometimes it will not be possible to get informed consent. Does that mean we should not use that piece of information? How do we balance the rights of the people whose consent is needed with the overarching human rights risks of not sharing it? How do we manage withdrawal of consent? Are there ways of using the collected information that protect privacy? These are all questions that need to be considered. The recently released Outlining a Human-Rights Based Approach to Digital Open Source Investigations provides guidance for open source investigators on consent and related rights, and the Murad Code provides guidance on gaining informed consent from survivors of sexual and gender-based violence.[[61]](#footnote-61)

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**What is Your Operating Environment?**Working in contexts where violations are happening is challenging. Collecting, holding, transmitting, and analyzing sensitive data comes with security risks that you will need to identify and mitigate. These days we often first think of digital security, but there are a set of inter-connected risks that are important to work through: digital, physical, organizational, and psycho-social. Tactical Tech’s Holistic Security guides are an excellent place to start thinking through multi-faceted security planning.[[62]](#footnote-62)

Security protocols are only as good as their implementation, so right-sizing them to the threats you face is key. Depending on the sensitivity of the situation, your risk assessment needs will vary. However, it is important to go through the exercise if only to unearth any unintended and unintentional harms that may surface if you start documenting.

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**[ A NOTE ABOUT THREAT MODELING]**

Tactical Tech’s Holistic Security Guide defines a threat as “a potential event or occurrence which would cause harm to ourselves or our work.”[[63]](#footnote-63) The threats we face are constantly changing and our security strategy will only be effective if we acknowledge that fact and plan accordingly. A threat model is a detailed tool to assess the security situation.

A threat model is a tool that:

* Explicitly names the threats we face
* Examines their likelihood and impact, and
* Unpacks their potential causes and consequences

*Matrix from Tactical Tech’s Holistic Security Manual[[64]](#footnote-64)*

A threat model can include prevention measures as well as tactics to respond to threats should the threat occur, with the end goal of reducing a particular threat’s likelihood and possible impact. Threat modeling is something we do in our daily life without realizing it. For example, you may make small calculations when walking home late at night: walking on better lighted streets, calling a friend, or threading your keys through your fingers to decrease the likelihood and impact of threat faced. A threat modeling process makes these decisions more overt, detailed, and deliberate.[[65]](#footnote-65)

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To be a responsible and ethical documenter, you have a duty of care to ensure that everyone involved in this operation faces the minimal risk possible and knows about any possible associated risks. The particulars of your operating environment will shape how and through what methods you conduct your documentation. When thinking about your operating environment and duty of care, thought should be given both to those documenting the violations *and* those reviewing and working with the files. The effects of this work can be felt far from the frontlines and measures to assuage vicarious trauma should be considered along with risk mitigation measures for those collecting documentation.[[66]](#footnote-66)

**When You Shouldn’t Document.** We often start from the point that doing something is better than doing nothing. This could not be further from the truth. Well-intentioned but badly formulated and implemented efforts distract from (at best) or harm (at worst) those who are working ethically and responsibly toward a goal.

**In short, just because you can, does not mean you should.**

If you do not have solid answers for the questions above or have not conducted those steps, your best course of action is to support those who have.

**Collect**

The understanding you have developed during the planning stage of the gaps in documentation, the operating environment, and the theory of change and goals for your efforts, provides the baseline for how you document and what tools you use to do so. As you assess the tools and skills that you will need, there are many factors to consider including access, manpower, resources, equipment, skills, and the desired type of documentation. Each method and tool should be selected with consideration for the particular risks and to the objectives you have identified in your planning. Generally speaking, the higher the risks, the more precautions are necessary from the outset.

How you collect documentation will vary whether you are creating new documentation (e.g., new videos, still images, audio files, written data points) or collecting existing documentation (either closed or open-source) created by someone else. If you are creating new documentation, you will need to think about the recording device you are using. This could be pen and paper, your mobile phone, or it could be another piece of equipment. You will want to consider what you will be recording – for example, testimony, daily reality, or active violations – as well as cost, ease of use, skill level, noticeability, output quality, and authentication availability (including but not limited to metadata capture).

In contrast, collecting existing documentation is collecting documentation that someone else created. This could be physical or digital documents (e.g., birth or death certificates, medical reports, land deeds, maps, policy memos, court proceedings), social media content, or satellite imagery for example. While collecting existing physical and digital documentation does not require you to think through which recording device you will use, it does require significant understanding of evidence admissibility and chain of custody to ensure that the collection process will not damage its evidentiary value in any future proceedings. This is particularly the case should you want to use this documentation in any court-related proceeding, but is also more broadly useful to verify and prove the authenticity of documentation.

**Store[[67]](#footnote-67)**

There are two parts to thinking about documentation storage: (1) where is it stored and (2) how does it get there? In other words, we need to think through the security concerns of the collected documentation at rest *and* in motion.

The documentation you have collected will be stored *somewhere*, whether it is as simple and straightforward as being stored in the photos app on your mobile phone or on a dedicated server. How you choose to store your information will be determine both by how you ultimately want to use the information, along with the specifics of your operating context. For example, people collecting data in active conflict zones may face scenarios where their phones are searched by authorities or perpetrators, putting the documentation and its creator (along with those in the documentation) at undue risk. In this instance, moving the data from the local phone or device to a more secure server in a different location would increase the security of the person and of the information.

You will also need to consider costs, tech literacy, who needs access, and how frequently they need that access. Here are three possible storage setups, including backup possibilities:

* Encrypted external hard drive(s) are a simple and cost-effective secure solution. The biggest limitation (which in some instances is also an advantage) is that this is a very local solution: you must physically connect the hard drive to a computer to access it. Additionally, a hard drive has zero built-in redundancy, and it is possible for both the hard drive and the individual files to become corrupted over time. Given these constraints, this setup requires the most rigid backup workflow, using other encrypted hard drive(s). Ideally, you would want to keep the backup version in a separate location in order to be prepared in case of worst-case scenarios, such as physical confiscation or theft of the hard drives or catastrophes like fires or earthquakes. This solution is harder to implement as documentation efforts grow.
* Network-attached storage (NAS), a local storage server, allows for collaboration among a few users. This type of server can allow remote connections or be programmed to only connect locally. It also enables encryption and automatically stores each piece of documentation on two individual hard drives. NAS servers are normally more expensive than simple hard drives and require more technical knowledge to set up and maintain. For an additional level of security, you could periodically back up the NAS data onto a large encrypted external hard drive and store that in a separate location.
* Cloud storage allows your data to be accessible to internal and external users of your choosing, and outsources the need for deep technical knowledge on server setup and maintenance. When choosing a cloud service, factors such as pricing, connectivity to the specific location(s) where you are working, trust, and environmental impact to consider. Cloud storage saves the worry about ongoing redundancy, as it is done automatically by the provider.

***Transferring Documentation Data.*** Similar considerations need to be factored into *how* the collected documentation is transferred into storage. At minimum, the data should be transmitted through secure connections or through tools offering end-to-end encryption if security risks are higher. At this point, you also need to consider whether you need to transfer any type of metadata along with the documentation itself.

When digital media is being created metadata – such as time and date, information about the recording device, and even GPS coordinates – can be embedded into the files. Files found online may also have similar metadata embedded into them. This metadata can be crucial in verifying your information (see more below) and in enhancing its usefulness in the future, particularly in courtroom proceedings. On the other hand, risks may be so high that you would opt to gather documentation only without its embedded metadata. Some methods of transferring files do not preserve this metadata, so it is imperative to choose a method that aligns with whether you want to transfer metadata or not.

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**[A NOTE ON FILE NAMING:]**

It may be tempting at this point to change the name of the file as it is transferred into your storage system. Your overriding aim here should be to never delete any part of the file name, but only to add to it. The original file name of the piece of documentation is a verifying feature of that documentation, and changing it could hamper others ability to authenticate your documentation.

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Should you be storing multiple pieces of documentation, thinking about how to manage and catalog that information becomes key, particularly if multiple people are working on the effort. A cataloging is an inventory list of each piece of documentation you have collected and what it is about. It can be a simple spreadsheet or a more sophisticated, dedicated software solution depending on need. Generally speaking, a catalog should have properties to cover the basic “Wh” questions (Who documented/is documented, Where, When, and What). On top of that, different workflow process can be embedded into a catalog, including technical information of the documentation files (including path), verification steps (see more below), as well as how the documentation has been used.

**Verify**

Verification is the process that is undertaken to determine “the reliability, credibility, or trustworthiness of the content or information contained in the…document, video, or image.”[[68]](#footnote-68) There is both an inward-facing and outward-facing aspect of verification. For documentation that you have created personally, the idea is to understand verification tools and processes that others may use to authenticate your information. For existing documentation that you collect or that is created in a collective, there is a need to ensure its trustworthiness before you use it further.

Verification is a layered process that uses both the piece of documentation, any information that is attached to that piece of information (including metadata), and outside sources. Where you start and what process you use will depend on the origin of the documentation. The presence of metadata is a boon to verification efforts; however, there are ways to verify information in the absence of metadata, including through careful analysis of elements in the documentation itself – such as landscape, weather, street signs, the angle and direction of shade patterns – and for anything suspicious, out of the ordinary, or that indicates editing.

Using additional outside sources can also assist in verification, and this is where the types and diversity of documentation tools is helpful. Reporting, satellite imagery, other contemporaneous accounts can all help in verification efforts. However, it is also important to recognize that for each situation with a trove of information, there are also contexts where the resolution of satellite imagery is too low to be helpful, there is a lack of detail in online maps, or limited social media engagement. In these instances, your documentation efforts may be more powerful, but they will also come with a greater need for verification. In hard-to-access areas, we may not find all of the answers for full verification, and it is important in these cases to speak openly with partners about how and why our information is incomplete.

**Analyze**

Up until now, the focus was on the single piece of documentation. Even when compared to other pieces for verification, the goal was to evaluate the value of the single piece. The next step is to understand how this documentation relates to the larger context by pulling together all of the documentation that you have collected and asking the question: Do you have enough pieces of verified information to allow you to determine that you are indeed dealing with a possible human rights violation?

The next step is strongly determined by your purpose for the documentation. For example, if your mission is to keep a meticulous record of events, then there are no next steps. You can conclude the analysis of this event and add one more event to your database. However, if your purpose is to raise public awareness or seek justice, more steps may be necessary to help others understand *why* this set of documentation is significant and actionable. This could be for a whole range of reasons, including the uniqueness of the event, the fact that it is new and has not happened before, or the extreme severity of the event. It could also be significant and actionable exactly because it is not unique or new, but part of a large number of similar events that demonstrate a pattern of behavior.

It is important to stress that the best analysis requires familiarity with the larger context and knowledge of human rights violations in this location. To put it differently, it would be impossible to realize that an event is significant and actionable unless you have this understanding.

**Share**

As you collect, verify, and analyze your documentation, the question becomes how and with whom do you share it? Here your purpose is important: if you are documenting to increase your agency or acknowledgement of the situation, perhaps you do not share the documentation with anyone. Perhaps you share it with trusted members of your community or a government official. Or perhaps you share it on social media. Sharing your documentation with anyone has a risk associated with it, and it is important to assess that risk against the change you are trying to create.

Private meetings where you show your documentation without handing it over carry a different (and lower) risk than sharing the documentation publicly on social media, for example. The more publicly you intend to share the documentation, the more you need to think through the risks and work to mitigate them. Mitigation could include distorting voices, blurring faces and other identifiable objects, or redacting parts of documents that would put victims, bystanders, creator(s), and/or other people at risk by sharing. If attribution is important to you, and you want people to know that you are the owner of the documentation, you may also want to add a watermark or logo.

As you share the documentation, you may also think about including any additional context that is important to increase understanding of the information. This could include any corroborating materials or information you may have. To assure that others are also able to verify your documentation, it is recommended best practice to keep the unedited raw materials and allow those who you are sharing the documentation with to examine and verify this raw material themselves.

**V. Conclusion**

It can seem incongruous to speak about creating more information at a time of information overload, when more than 500 hours of video are uploaded to YouTube every minute and it is estimated there will be over six billion social media users by 2027.[[69]](#footnote-69) However, as we have shown above, not all of us are able to share information so openly, nor is it always our primary purpose or end goal.

When we allow events to be filtered through one dimension, through the stories or information of one side – when we succumb to a singular viewpoint – we lose the richness and the complexity of the event and its context. We also lose its lessons. Sometimes those in power **want** us to lose those lessons. They want us to not remember, or to remember only from their official narrative. Some go to great lengths to preserve and create a singular view of history or historical events.

History is created from today’s information, from the experiences that we are living now. Information has been called a great many things over the past decade. The new oil. The new gold. But what these comparisons mean is that information is power. When thinking about the enduring power of information, the term “half-life” comes to mind. Most associated with physicist Marie Curie and radiation, half-life describes the declining power of a material over time. There is a risk that this happens to today’s information as well. With the ephemeral nature of today’s news cycle, our attention shifts quickly away from even the most horrifying events. In such an environment, it is easy to forget that information *can be* eternally useful: whether it’s part of a breaking news story, an in-depth investigative report or advocacy campaign, a multi-year criminal proceeding, or a decades-long historical reckoning, information has an ability to retain its power – and perhaps even gain power – over time.

Human rights documentation, like all information, has this power. The extent of its power may not readily reveal itself, but it is there. Verified, trusted information, like human rights documentation, can be part of the answer to pushing back against mis- and dis-information efforts or synthetic media manipulations. Not only must we uncover these untruths, but we must also continue to build our own abilities to create trusted information in its place.

**VI. Acknowledgements**

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