tool 32 Documenting Cases of Grave Violations

Checklist

Information on cases of grave violations can be gathered from various sources, mostly through interviews and analysis of documentation. It is good practice wherever possible to cross-check information through different sources, taking into consideration security risks for the source and for the person gathering information. Below is a checklist of the main points to keep in mind when gathering information on grave violations. It is relevant for organizations that document violations (rather than those that provide simple alerts), whether through proactive investigation of abuses or through other existing activities (e.g., intake interviews by a service provider):

☐ **Understand the relative weight of each type of source:**

- **Primary sources:** persons who were present during the incident (victim, eyewitness, perpetrator).
- **Supporting sources:** persons who are close to the victim or were in contact with the victim before or after the incident (parents/guardians, teachers, community members, community or religious leaders, medical personnel, journalists, NGO personnel, activists/human rights defenders, lawyers, prosecutors, police, etc.) or documents and other material evidence that can confirm that the incident took place and provide additional details (photographs of victim's wounds or scars, medical records, police records, reports from other investigative entities, photographs of the site where the incident took place showing signs of violence, ammunition left behind, etc.)

☐ **Mitigate risks when collecting information:**

- Do not interview a source if it is not essential for case documentation.
- Assess the environment in which you are collecting information to identify potential risks for yourself, the source or the victim. This includes personal security risks, as well as security of the information collected.
- Do not interview a source if it poses high risks to the source or yourself.
- Think of a safe space to meet each source (public pace, private place, close to the source's residence or far away from it, etc.)
- Think about how you and/or the source will arrive at and leave the meeting place to ensure security risks are mitigated (marked vehicle? unmarked vehicle? by foot?)
- If someone else is joining you in the interview, make sure their presence does not create additional security risks.
- Make sure the source understands and accepts the risks before the interview.
- Record information in a safe manner (is it safe to take notes? If so, should you use codes in note-taking? How will you transport interview notes, etc.)

☐ **Respect the basic ethical and professional principles and standards:**

- Credibility, objectivity, impartiality, confidentiality, do no harm.

☐ **Follow the right interview steps:**

- **Introduction:** start by introducing yourself and your organization; explain the purpose of the interview and how information will be used; get informed consent before starting.

- **Interview:** ask neutral and open questions to make sure the interviewee is not induced to say certain things while omitting others; do not judge or show your opinion about what the interviewee is saying as this may affect what they will say/omit next and undermine their confidence; ask additional questions if you need to clarify or confirm something the interviewee said, but make sure you keep a neutral tone so as not to induce or influence the answer.
- **Conclusion of the interview:** thank the interviewee, ask if he/she has anything to add and summarize the next steps.

☐ **Take special precautions if interviewing a child:**

- Get informed consent from the child's parent/guardian if the child is too young or unable to fully understand the risks and how information will be used.
- Choose an interview place that does not intimidate the child.
- Consider the gender of the child and of the person conducting the interview and assess whether this may intimidate the child or, to the contrary, put the child more at ease, in particular if the child is a survivor of sexual violence.
- Establish trust at the beginning of the interview and if you will take notes, explain this beforehand;
- Pay attention to your own body language during the interview, taking into account the child's age, attitude, as well as any cultural and religious factors that may come into play.
- Ask open questions ('what happened on that day') and consider asking the child to make a drawing if it is difficult for her to tell the events verbally.
- Interrupt or end the interview if the child shows signs of distress.

related tools

- tool 31 – Factsheet 'What information is needed for the MRM?'
- tool 33 – Annotated case study 'Recognizing the grave violations'
- tool 39 – Self-assessment exercise 'Security risks when gathering information on grave violations'
- tool 40 – Group exercise 'Security while collecting information'
- tool 45 – Factsheet 'Information management'
- tool 29 – Checklist 'Confidentiality'
- tool 46 – Group exercise 'Confidentiality and information management'

other resources

- *Minimum Standards for Child Protection in Humanitarian Action*, Global Child Protection Working Group, 2012 – Standard 6 'Child Protection Monitoring' and Standard 5 'Information Management'.
- *Manual on Human Rights Monitoring*, OHCHR, 2001 - Chap. 7 (Information gathering) and Chapter 8 (Interviewing) (Note: these materials are currently under review and new chapter versions are being published on a rolling basis. Click here to check the status of the review).