Report of the Training Workshop on
Documentation of human rights violations and crimes under international law
Hammamet, 20-22 September 2013
1. Background

On 20-22 September 2013, Al Kawakibi Democracy Transition Center (KADEM) and No Peace Without Justice (NPWJ) organised a three-day training workshop on “Documentation of human rights violations and crimes under international law” on 20 to 22 September 2013 in Hammamet under the Transitional Justice Academy. The Transitional Justice Academy, is a joint initiative of KADEM and the Arab Democracy Foundation, in partnership with NPWJ and the Deutsche Gesellschaft für Internationale Zusammenarbeit. It was launched in Tunisia in December 2011 and aimed to provide a conceptual space within which main stakeholders and actors can gather and build their knowledge and capacity on transitional justice. Since July 2011, KADEM and NPWJ have been working in Tunisia to support its democratic transition through transitional justice.

2. Course Summary

2.a Participation

The training brought together 19 individuals who already had experience in transitional justice and documenting human rights violations, including judges, legal professionals, representatives of civil society and victims organisations (for the list of participants, please see Annex I).

2.b Presenters and Program

The two experts conducting the workshop engaged participants on the main components of investigation and documentation of human rights violations and crimes under international law. In each session, after an initial presentation from the presenters, participants continued discussions on the various topics in working groups, brainstormed on a number of issues and conducted practical exercises (for the detailed program, please see Annex II).

2.c The Workshop

Day One

Morning session

The Workshop started with the presenters asking a set of questions to introduce the topic, including how participants would deal with monitoring and documentation, whether they would consider documentation as a modern science and if they had a direct experience in documenting crimes.

It continued with a documentary report on the defense of human rights, which was introduced to the participants. Following this, the presenter dealt with the issues of monitoring, fact-finding, documentation and documentation objectives. He emphasised that the description of the violation is not enough for documentation purposes. All violations must be investigated and in general corroborated by evidence.

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1 For more information on the Academy, please visit NPWJ’s website on [http://www.npwj.org/node/3602](http://www.npwj.org/node/3602).
2 For more information on the work of NPWJ and KADEM in Tunisia, please visit NPWJ’s website on [http://www.npwj.org/node/3745](http://www.npwj.org/node/3745).
The presenter focused on what he meant by investigation of a human rights violation, what the objectives behind it and its consequences are. He also stressed that documentation would serve the purpose of revealing the truth, as part of a fact-finding process.

Participants continued discussions in working groups on how they would conduct investigations in a number of fictional cases, including rape, the death of a detainee in unknown circumstances, the attack of a political activist in front of his house and an attack against a university by security forces. Each working group appointed a rapporteur that reported to the plenary that group’s main findings.

**Afternoon session**

Discussions focused in the afternoon on the main personal and professional characteristics that those conducting field investigations should have. Participants conducted a practical exercise in groups and presented to the plenary the characteristics they considered necessary for field investigators. Throughout this discussion, the presenter added comments and suggestions. Subsequently, he exposed the main characteristics of the documenter, which was followed by a presentation of information sources and the way they could be collected and evaluated.

During the second part of the afternoon session, the presenter brainstormed with participants on challenges and obstacles of the documentation process and explained techniques and measures to manage and in some cases to overcome them.

**Day Two**

**Morning session**

This session was devoted to discussing how to conduct interviews of victims and witnesses. The presenter started with a general presentation and asked participants to conduct practical exercises based on the same scenarios used the previous day. Throughout the session, it was highlighted that in the best case scenario, the field investigator would interview the perpetrator, the victim, the eyewitnesses and official bodies involved in the violations. However, very often not all these sources are available for each violation. The presenter also emphasised the importance of preparations before conducting interviews.

Organisers of the workshop intervened to stress the primary importance of the wellbeing of the witnesses and victims. They also focused on the PEACE model for interviewing, which helps remembering the phases of interviews consisting of preparation, engagement, acquisition, closure and evaluation. They also took participants through the 6Ws (who, what, where, when, why and how), which are the pieces of information that investigators need to acquire to make someone’s information useful and to make it possible to put it together with all the other information they would be gathering in the field.

**Afternoon session**

In this session, the presenter devoted attention to the sources of information and evidence, including testimony, field visits, documentary and visual evidence and public reports. He also focused on forms used to document violations and distributed to participants an example. Participants conducted a practical exercise, preparing their own form to document the same scenarios on which they worked the previous day.
The presenter talked about the use of sworn statements and gave participants a practical exercise on this. He distributed a statement and a documentation form filled in on the basis of that statement and participants had to identify the form’s inaccuracies.

Unfortunately, there was not enough time to focus on how to insert information in a database, but the organisers of the workshop emphasised the importance of consistency, completeness, correctness and clarity of the information contained in documentation databases.

Day three

Morning session

In this session the trainer focused on reports, making a presentation to explain the main types of reports in relation with monitoring and documenting human rights violations. He differentiated between internal reports for the benefit of the documenting institution and external public reports addressed to authorities, concerned organisations and the media. The presenter stressed that reports should be written without delay, as accurately and clearly as possible. The theoretical presentation was followed by a practical exercise conducted by participants in groups focusing on how to write a report on the same scenarios on which they worked on in the previous days.

Then the presenter shared a report he had written on violations suffered by three Palestinian brothers who were wounded in the Ramon village. He also provided a model of a field report investigating the circumstances of the death of a person held in custody by the police.

Afternoon session

The presenter discussed how to conduct visual documentation and showed a short example, namely a film of a human rights violation. He added some insights on how the document was used to identify the elements of the crime and where it was committed. The presenter stressed the importance of some elements of the film that were used to document the time and place of the violation, the weapon used, the perpetrator and the victim.

In this session, the presenter also focused on and displayed audio files and pictures. He also showed the same incident captured from different angles and stressed how the various images put together gave a different perspective to the violations documented.

Closing of the workshop

In the closing session, participants discussed their impressions and assessment of the workshop and filled in evaluation forms. Finally, the presenters and organisers gave certificates of participation to all participants.
### Annex I - List of Participants

<table>
<thead>
<tr>
<th>Name</th>
<th>Institution</th>
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<tbody>
<tr>
<td>Iadh Amami</td>
<td>Association des juristes Sidi Bouzid</td>
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<tr>
<td>Ahmed ben necib</td>
<td>Organisation de la liberté et l'équité</td>
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<td>Fatma Methamem</td>
<td>Observatoire tunisien pour l'indépendance de la magistrature</td>
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<td>Kamel Smat</td>
<td>Observatoire tunisien pour l'indépendance de la magistrature</td>
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<td>Oussema Aloulou</td>
<td>Organisation de la liberté et l'équité</td>
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<td>Haythem ben chaabene</td>
<td>Organisation de la liberté et l'équité</td>
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<tr>
<td>Rania Dridi</td>
<td>Organisation de la liberté et l'équité</td>
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<tr>
<td>Dorsaf Bouida</td>
<td>Observatoire tunisien pour l'indépendance de la magistrature</td>
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<tr>
<td>Najeh Zaghdoudi</td>
<td>Organisation Tunisienne pour la liberté de presse</td>
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<tr>
<td>Khaled Founi</td>
<td>Association pour la justice et la restitution</td>
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<tr>
<td>Naceur Ouni</td>
<td>Organisation nationale des chambres des notaires</td>
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<tr>
<td>Fadhila idoudi</td>
<td>Association pour la Défense des Droits de l'Homme</td>
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<tr>
<td>Issam Mzoughi</td>
<td>Association pour la réforme des sociétés</td>
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<tr>
<td>Oumayma Blel</td>
<td>Association de l'activation du droit à la dissidence</td>
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<tr>
<td>Nessrine mansouri</td>
<td>Association de l'activation du droit à la dissidence</td>
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<tr>
<td>Meryem Chebil</td>
<td>Association de l'activation du droit à la dissidence</td>
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<tr>
<td>Adel Maizi</td>
<td>Organisation Tunisienne de gestion des archives</td>
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<tr>
<td>Asma Gharbi</td>
<td>Avocate</td>
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<tr>
<td>Nozha ben Fredj</td>
<td>Association tunisienne pour la réhabilitation des victimes</td>
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Annex II – Program

Friday 20 September 2013

9.00-10.00: Opening:
- Presentation of participants
- Presentation of KADEM
- Presentation of NPWJ
- Presentation of Al Haq

Session One: General Overview
10.00-11.15: Presentation and components on Human Rights Documentation
11.15-11.30: Coffee Break
11.30-13.00: Sources of Information
13.00-14.00: Lunch
14.00-15.15: Problems and difficulties for documentation
15.15-15.30: Coffee Break

Session Two: Evidence and Data
15.30-17.00: Investigation and collecting data/ Practical exercises: working groups

Saturday 21 September 2013

Session One: Finalising day one
9.00-11.00: Investigation and collecting Data/ working groups’ presentation
11.00-11.15: Coffee Break
11.15-12.45: Interview and its components
12.45-13.45: Lunch

Session Two: Forms of documentation
13.45-15.00: 1- Preparing the Infosheet
2- Practical Exercises
15.00-15.15: Coffee Break
15.15-16.00: Presentation of working groups
16.00-16.15: Coffee Break
16.15-17.30: Closing
Sunday 22 September 2013

Session One: Finalising works of day two
9.00-10.15: Field Reports
   1- Its forms and components
   2- Practical Exercises
10.15-10.30: Coffee Break
10.30-13.00: Presentation of Work / constructing a specific database for violations
13.00-14.00: Lunch

Session Two: Visual Investigation
14.00-15.45: Visual investigation/ its importance and effectiveness
15.45-16.00: Coffee break
Distributing certificates