

# Human Rights Monitors' Guidebook



A tool for monitoring, documenting and reporting human rights violations in Nigeria

**Search for Common Ground – Nigeria**  
October 2014

 **Search** for  
**Common Ground**

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## CHAPTER 1: INTRODUCTION

Violations of human rights are major challenges confronting the Nigerian nation. These violations come in many forms including torture, domestic violence, arbitrary arrest and detention, sexual assault, extra-judicial killings, among others.

An increase in violent conflict and the instability that it creates is often linked to an increase in violations of human rights. Nigeria faces a number of destabilizing factors including a dormant but ever threatening militancy in the Niger Delta region, ethno-religious violence in the Middle Belt, and a violent insurgency in the North East. With these violent conflicts comes an increase in armed actors including government security forces and non-state actors, who often become perpetrators of human rights violations.

Human rights defenders are working across the country to prevent and seek justice for these violations; however, they face many challenges including a lack of resources, skills, and cooperation from authorities. National and international human rights groups, including government institutions like the National Human Rights Commission (NHRC), rely on local human rights monitors for reliable information and reports that stir debate on policy changes and encourage better enforcement and protection of human rights. It is therefore imperative that more grassroots human rights monitors are trained to monitor, document, and report human rights violations.

### About this Guidebook

The guidebook targets human rights actors from civil society organizations (CSOs) as well as other audiences who are involved in human rights monitoring. It is aimed at strengthening the capacity of CSOs, human rights defenders, activists and human rights organizations to monitor, investigate and document human rights violations.

This guidebook is a tool for human rights defenders to help them navigate the process of monitoring, documenting and advocating on human rights violations using simple steps and practical tools. It also provides the reader with a basic background on human rights and human rights law in Nigeria, as well as the mechanism in place to combat and find justice for violations.

The development of this guidebook relied on information and a number of checklists from UKWELI<sup>i</sup> a handbook published by Amnesty International and CODESRIA. The guidebook also drew upon resources from a book entitled, "Monitoring and Reporting Human Rights Violation in Africa," and also "Reporting human rights violation for prisoners," by the Human Rights Coalition.

## About Search for Common Ground

Search for Common Ground (SFCG) is an international non-profit that aims to transform the way the world deals with conflict, away from adversarial confrontation and towards cooperative solutions. SFCG is currently working in 35 countries around the world, including 22 in Sub-Saharan Africa. SFCG has been working in Nigeria for a decade, promoting peacebuilding in areas of tensions and modelling innovative media products and grassroots peacebuilding that encourage and understanding across ethnic, religious and gender lines. Currently SFCG has offices in Abuja, Jos, Maiduguri and Port Harcourt. Our toolbox includes consensus-based advocacy training, public communications training, media training and production, and the facilitation of dialogue processes, engaging all levels of society

## About the Project

This guidebook was produced with funding from the United States Department of State's Bureau for Democracy, Human Rights and Labour (DRL). SFCG has partnered with DRL to strengthen accountability for ethno-religious violence and reduce human rights abuses by security actors in North Central and North East Nigeria. SFCG, along with its partners Community Action for Popular Participant, the Centre for the Advocacy of Justice and Rights and the Bauchi Human Rights Network, have worked with coalitions of human rights-based civil society organizations along with security agents and judicial actors, to strengthen the capacity of these groups to monitor, report, and address human rights issues. This guidebook is informed by the feedback obtained during training workshops and the experience of the human rights actors we have worked with under this project.

## CHAPTER 2: DEFINITION OF HUMAN RIGHTS AND ITS INSTRUMENTS

*This chapter provides an overview of fundamental human rights. It explains how each of these rights carries with it corresponding obligations by the state. It examines the nature and extent of states' obligations under international and national human rights standards in order to establish an understanding of what can and should be expected from the state and how rights can best be guaranteed.*

### 2.1: What are human rights?

Human rights are rights that we have because we are human beings. It is inherent in all human beings irrespective of our sex, status, colour, ethnic origin, religion, language, nationality, etc. The concept of 'human rights' is based on the fact that every human being is born with these rights and is entitled to enjoy all of these rights without discrimination.

In 1948, the United Nations adopted the Universal Declaration of Human Rights (UDHR), which lays out the fundamental human rights to be universally protected (See Box 1).

### 2.2: Characteristics of Human Rights

Just as living things have their unique characteristics, human rights also have unique characteristics.

The characteristics of human rights are:

**Universality:** Human rights are universal. Human rights are universally and equally applied regardless of place or person.

**Inalienable:** Human rights are inherent, and hence cannot be granted or purchased. Because they are inalienable, you cannot lose or be denied these rights so long as you are a human being. In cases where a person is in conflict with the law and is found guilty by a competent court of jurisdiction, some of these rights may be restricted. For example, freedom of movement may be denied or restricted within the period of arrest or detention, but not the right to fair hearing or trial.

**Indivisible:** Human rights are inseparable and no right is more important than the other.

**Interdependent:** Human rights complement one another. This means that each right needs

#### Box 1: Fundamental Human Rights in the Universal Declaration of Human Rights Include:

- Right to life, liberty and security
- Freedom from slavery or servitude
- Freedom from torture and inhumane treatment
- Freedom from arbitrary arrest, detention, or exile
- Right to a fair and public hearing
- Right to privacy
- Freedom of movement
- Right to peaceful assembly and association
- Right to take part in the government and equal access to public services
- Right to work, equal pay for equal work, and form unions
- Right to education

another to be fully actualized and enjoyed. For example, your ability to participate in governance is directly affected by your right to freedom of peaceful assembly and association and expression.

### 2.3: Human rights instruments

Every government has an obligation to protect and promote the basic human rights of its citizens as expressed and guaranteed by law. Human right laws are contained in treaties, customary law, general principles, and national and international law.

#### Box 2: Rights Outlined in the 1999 Nigerian Constitution

- Right to life
- Right to respect of dignity
- Right to liberty
- Right to a fair hearing
- Right to privacy
- Freedom of expression
- Freedom of assembly and association
- Freedom of movement
- Right to own property

National, regional and international human rights laws or instruments lay down obligations for governments to act in certain ways or to refrain from certain acts, in order to promote and protect these rights. Examples of these laws and instruments include the 1999 Nigeria Constitution (See Box 2), the Africa Charter on Peoples and Human Rights, and the Universal Declaration of Human Rights.

There are, however, other specific rights derived from the above such as the Convention on the Elimination of Violence Against Women (CEDAW) and the Convention on the Rights of the Child.

Once a state has ratified any of the fundamental human rights treaties, by way of signature, it assumes legally binding obligations and duties under the law to respect, to protect and to uphold human rights. See Appendix 2 for a list of instruments that are binding in Nigeria.

### 2.4: State Obligations and Human Rights

The principles of human rights envision a free, just, and peaceful world with minimum standards for how individuals and institutions everywhere should treat people. Human rights come with both rights and obligations. States, as the primary duty bearers, carry a legal duty under human rights law to respect the human rights of its citizens. A human rights violation occurs when states fail in this duty. It is therefore imperative that the state, through its agents, fulfil their obligations to uphold human rights.

Under international human rights law, the government has both the obligation to protect and the obligation to uphold certain rights:

**The obligation to protect** requires the state and its agents to prevent the violation of any individual's rights by any other individual or state actor. Where this occurs, the state must act to prevent further violations and to guarantee access to legal remedies for any victim of the infringement.

**The obligation to fulfil** requires states to take positive measures that will ensure the full realization of these rights. In the context of our discussion, states are obliged to make

appropriate laws as well as provide appropriate, effective and accountable grievance mechanisms that will guarantee individual and group opportunities to seek redress when their rights are violated. In Chapter 3, we will discuss available mechanisms for seeking redress.

Just as states have a role to play toward the realization of these rights, so too do non-state actors such as private companies or transnational corporations. This is because some of their actions or policies affect or lead to violations of these rights. At the individual level, our role is to ensure we do not become a stumbling block to the realization of others rights.

## CHAPTER 3: HUMAN RIGHTS VIOLATIONS

*This chapter discusses a number of conceptual issues to guide the understanding of human rights violations and the role of human rights monitors in responding to these violations. It identifies and discusses various grievance mechanisms that monitors can access.*

A human rights violation occurs when the basic human rights of an individual are denied. When a person is treated as if he is less human and undeserving of respect and dignity, the human rights of that individual is said to have been violated.

### 3.1: Patterns of Human Rights Violation in Nigeria

Nigerians have long faced violations of their human rights; however the human rights environment is made even more challenging by the instability created by conflict. The lingering tensions in the Niger Delta, ethno-religious violence in the Middle Belt, and even more critically, the insurgency in the North East have created conditions ripe for an increase in human rights abuses.

In 2014, Freedom House, an international watchdog organization, described Nigeria as “partly free” in its annual *Freedom in the World* report. The organization gathers information on political rights and civil liberties and provides a score based on the rights and freedoms enjoyed in the country. In justifying its classification of Nigeria, the report cites the government’s response to Boko Haram in the North East including reports of extra-judicial killings, arbitrary mass, arrests, illegal

#### Box 3: Resources on Nigeria's Human Rights Records

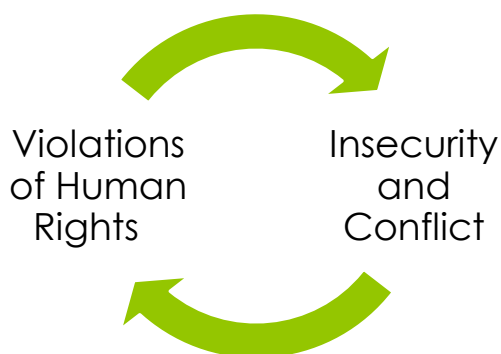
The following are organizations or institutions that often report on the human rights environment in Nigeria:

- **National Human Rights Commission** - <http://www.nigeriarights.gov.ng/>
- **Human Rights Watch** - <http://www.hrw.org/africa/nigeria>
- **Amnesty International** <http://www.amnesty.org/en/africa/westafri ca/nigeria>
- **Freedom House** - <http://www.freedomhouse.org/country/nigeria>
- **US Bureau of Democracy, Human Rights and Labor** - <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220146>
- **United Nations Office of the High Commissioner on Human Rights** - <http://www.ohchr.org/EN/Countries/AFRICARegion/Pages/NGIndex.aspx>

detention, and torture.<sup>ii</sup>

Human rights violations are not only committed by the government or government actors. Violations are also committed by non-state actors such as armed groups, corporations, or other groups that deny or abuse the rights of individuals or other groups. (See Box 3 for resources on human rights in Nigeria)

### 3.2: Links between human rights violation, conflict and insecurity.



There is a strong link between human rights violations, conflict, and insecurity. The violation of human rights often leads to insecurity and conflict and conversely, conflict and insecurity are often accompanied by an increase in human rights violations. It is not surprising, then, that human rights violations are often at the centre of conflicts and that protection of human rights is central to peace, security and development.

For example, in Nigeria, perceived violations of political and economic rights by groups are the root causes of many conflicts and setbacks the country has experienced since the transition to democracy. When rights to freedom of belief, assembly, political participation or cultural life are denied, there is likely to be social unrest as parties demand that their basic needs be met. In this circumstance, conflict can easily spiral into armed conflict.

### 3.3: Grievance Mechanisms

A **dispute, complaint or accountability mechanism**, is a formal, legal or non-legal complaint system that can be used by individuals, groups, communities or civil society organizations that perceive their rights have been violated by the state, individuals, groups or corporate entities to seek redress. There are also informal grievance settlement mechanisms such as peace forums set up by communities to address local community conflict concerns.

Nigeria's National Human Rights Commission is one of the many examples of grievance settlement mechanisms that citizens or groups can use to address their human rights concerns (See Box 4). There are also some grievance settlement mechanisms that are specific in terms of matters or issues they can address for example National Environmental Standards and Regulations Enforcement Agency (NESREA) can attend to community complaints on environmental pollution by activities of extractive industries.

These mechanisms whether formal or informal vary in objective, legal framework, scope, approach, target groups, cost effectiveness and government support. For example, most informal grievance settlement mechanisms are designed to resolve problems through dialogue or joint problem-solving methods usually facilitated by a neutral party to the issue. Formal grievance settlement mechanisms like the National Human Rights Commission have the mandate to conduct investigations and assist victims to seek redress that may lead to recommendations, reparations or bringing perpetrators to justice.



#### Box 4: National Human Rights Commission

The 1995 Human Rights Act established the National Human Rights Commission (NHRC) to serve as an institution, separate from the courts, to promote, protect, and enforce the human rights of all Nigerians.

The NHRC, which has offices in all six geopolitical zones of Nigeria, has an explicit and specific human rights mandate to act as a check and balance and ensure that government lives up to its human rights obligations. As an oversight body empowered to deliver justice irrespective of who is involved, it has recorded a number of success stories with the most recent being the ruling on the Apo Six killings.

The Human Rights Act lays out the following mandates for the Commission.

- To effectively respond to human rights complaints against public or private entities such as individuals, groups, companies or state security agencies e.g the police or military
- To constantly review government's human rights policy in order to detect shortcomings in human rights observance and enforcement in order to suggest ways of improvement.
- To monitor, document and report the state's compliance or non-compliance with its own National and international human rights laws that they are signatory to.
- To improve human rights awareness of citizens

## CHAPTER 4: OVERVIEW OF HUMAN RIGHTS MONITORING, DOCUMENTING, AND REPORTING (MDR) PROCESSES

*This chapter provides an overview of the role of human rights observers in monitoring, documenting, and reporting human rights violations. The next three chapters will look at these processes in more detail*

### 4.1: What is MDR?

In general, Monitoring, Documenting and Reporting (MDR) is a systematic and active collection of data, analysis of such data and dissemination of such information on human rights violations for immediate use by concerned and interested parties. MDR forms the basis of the work of human rights actors; however, each covers a different aspect of this work.

#### Box 5: Why is MDR important?

Monitoring, documenting and reporting human rights violations:

- Establishes a record of situations where there is a potential violation
- Enhances awareness of the human rights situation
- Stimulates a response from government or other actors to address violations
- Reinforces local capacity for protecting human rights

**Monitoring** is the long term observation and analysis of the human rights situation in your locality.

**Documenting** involves assessing individual allegations and analyzing the overall evolution of the human rights situation. This analysis includes identifying trends and patterns, processing the information in a report, and recording and storing the information.

**Reporting** - involves the dissemination of reports generated to your target audience, which could be government, national or international human rights bodies, or the general public.

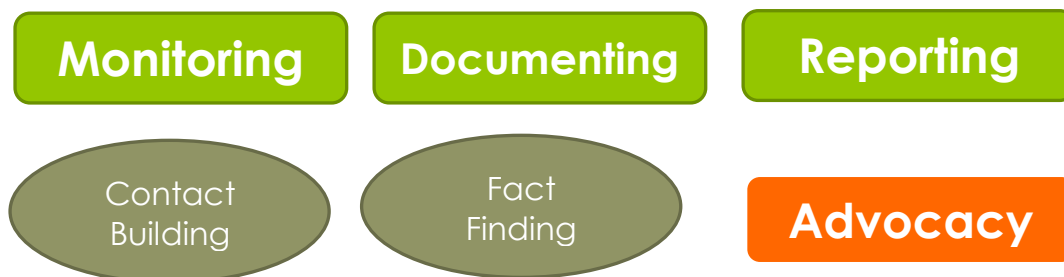


Figure 1

Related to these processes are **contact building** and **fact finding**, which are also discussed in more detail in the following chapters. Chapter 8 will also look at the steps human rights actors can use to advocate on issues uncovered and raised during the MDR process.

## 4.2 Key Principles of MDR

**Do no harm:** While it is not within the purview or capacity of human rights monitors to ensure the safety of victims of human rights violation, it is crucial for human rights monitors to know that his/her duty is first to the victims and those sharing information on human rights violations. Informants stand a great risk in providing information, so the monitor must not endanger the lives of his/her contacts or victims of human rights violations.

**Understanding and respecting the mandate:** Everyone involved in human rights monitoring must be acquainted with the assignment before s/he can be actively involved in carrying out such a sensitive task. The mandate must be respected to prevent monitors from stepping out of bounds. It is most significant to understand as well as respect the mandate of human rights monitors.

**Widespread consultation:** A human rights monitor is not an island, so s/he should consult widely with supportive personalities or organizations who would add value to the work of human rights monitoring. There exist a good number of people understanding the dynamics prevalent in a community or their sphere of influence. Consulting with such individuals or organizations may enrich the outcome of the investigation.

**Respect for authorities:** Human rights monitors are not in competition with the authorities, nor should they maintain an antagonistic front with the authorities, especially since the action and inaction of the authorities has a huge influence on the achievement of their goals. Therefore, there should be respect for the authorities. Monitors should consider them as partners or potential partners who would complement these authorities' efforts towards achieving seeking justice for victims of human rights violation in their area of operation.

**Neutrality:** If the monitor is seen as being neutral, not showing favouritism or bias towards one side or another, it adds credibility to the outcome of any investigation. You must avoid prejudice in carrying out the task of collecting and analysing information about violations.

**Precision:** Human rights monitors must ensure and maintain a great degree of precision and accuracy of information reported. Inaccuracy could affect the perception of reliability of your work.

**Confidentiality:** It is important that informants understand and trust that the information that they provide is confidential. Without this confidence, they are unlikely to share information with you. It is also the monitor's responsibility to protect the confidentiality of their informants (See Box 9 for more information on confidentiality)

**Conspicuousness:** Your availability as a monitor at crucial times emboldens the contact and victims to feel secure that their cause is being pursued vigorously. Ensure that the people you seek to facilitate the protection of their rights and the authorities know your work and mandate (See section 5.3 Contact Building)

**Sensitivity:** The monitor must be sensitive to the culture and environment of operation and to further exercise sensitivity to the plight of the victims or the culture where they are operating.

## CHAPTER 5: TOOLS FOR HUMAN RIGHTS MONITORING

*This chapter provides monitors with an overview of the approaches and tools needed to effectively monitor human rights violations.*

### 5.1: Introduction to Human Rights Monitoring

**As noted earlier, Monitoring** is a broad term describing the active collection, verification, and immediate use of information to address human rights problems. Human rights monitoring includes gathering information about incidents, observing events (elections, trials, demonstrations, etc.), visiting sites such as places of detention and refugee camps, discussion with government authorities to obtain information and to pursue remedies, and other immediate follow-up actions. The term includes evaluative activities at the level of the United Nations head offices as well as first hand fact-gathering and other work in the field. In addition, monitoring has a temporal quality in that it generally takes place over a protracted period of time.

Monitoring is a long-term observation and analysis of the human rights situation in your sphere of operation so as to understand trends and prevalence in order to make informed decisions and take strategic actions. It could also be the collection, verification and the utilization of information to reduce human rights violation. It involves the continuous and systematic collection of information that is related to human rights violations. The purpose of monitoring is to make the human rights situation better. The key objective of human rights monitoring is to reinforce the state's responsibility to protect human rights and create an atmosphere that promotes the respect of human rights.

### 5.2 What information should monitors collect and where do you find it?

There is a variety of information that a human rights observer should collect to monitor the human rights situation in their area. The process of monitoring and keeping an up-to-date and accurate assessment of the human rights environment in the area of observation, can help human rights monitors better analyse violations or trends of violations when they occurs.

*Figure 2* shows the kind of monitoring information observers should collect and update regularly.

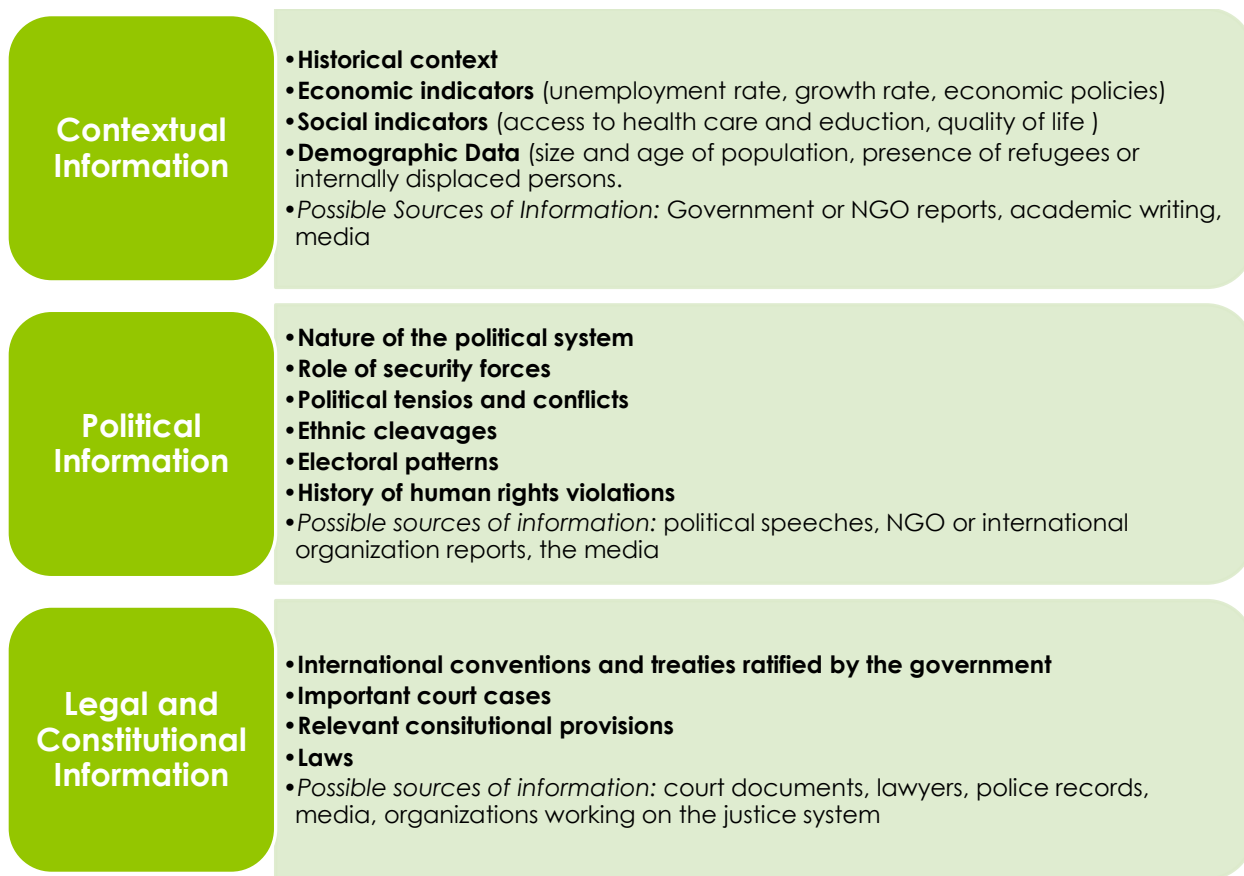


Figure 2

### Box 6: Tips for Monitoring

The following are some key tips to help human rights monitors:

- **Have an in-depth knowledge of human rights as provided by National and International human rights instruments.** Knowing the laws will help you understand what are human rights, when they are violated, and what obligations the state or non-state actors have to protect these rights.
- **Have an in depth knowledge of accountability mechanisms and their legal framework.** This knowledge will help you know the grievance settlement mechanisms in place and how to access them.
- **Determine your objectives, identify issues and needs, and define your scope.** Because of limited time and resources, you may not be able to monitor or document everything. Having clear objectives, knowing what issues you are most interested in, and the geographic area you can realistically access will help you focus your work.
- **Network with other credible human rights organizations.** Never work or fight alone. There may be other organizations working on similar issues or in similar areas with which you can work, combining skills, knowledge and resources.
- **Build credible and reliable contacts.** These contacts can help you stay more up-to-date on happenings in an area or notify you when an incident occurs. Always review your contact list to ensure it is up-to-date. (See Section 5.3)
- **Have a simple format for reporting and share with your contacts and your links.**

## 5.3 Contact Building

An important element of monitoring is building a broad network of relevant contacts or informants that consistently provide the human rights monitor with information or reports of incidences that relate to human rights violations. A human rights monitor cannot simultaneously be monitoring the human rights environment continuously in all of the areas he hopes to cover. Having a network of contacts provides access to information about happenings in communities where the monitor is not continuously present. Also, because they are from the community or hold a certain position, the contacts may have access to information that the monitor would not ordinarily be privy to.

In addition, the larger the contacts amassed, the more the credible the information available to the human rights monitor will be. Information from only one source may not be reliable. However, a monitor can use his/her network of contacts to verify information or check facts before documenting or reporting the information.

### Box 7: How to Build and Retain Contacts

**Build trust:** Trust is a very significant element in building relationships with your contacts. The contacts must have a basis to rely absolutely on you so that they can be forthcoming with information.

**Keep the lines of communication open:** Unrelenting communication through mails, phones or meetings should be maintained with the identified contacts.

**Define and communicate expectations:** Spell out your expectations of the contacts from the outset so that their responsibilities would be put in better perspectives.

**Keep the contacts abreast of progress made:** Share with your contacts progress made on any particular matter regarding the monitoring of violations for which he/she has provided the information.

**Maintain confidentiality:** You must keep the identity of your contacts confidential as their lives could be at risk if people get to know their relationship with you and what information they have provided to you.

Having contacts in the area you are operating in also helps mitigate security risks by building a safety network. The pool of contacts can help pass along information of elevated tensions or signs that the monitor or his/her informants are at risk.

Contacts ideally should be diverse to cover as many sectors and elements of society as possible. The following are possible sources of contacts:

- Local, national or international NGOs
- Religious institutions
- Public officials
- Security agencies
- Members of political parties
- Community Development Associations
- Media organizations
- Vigilante Groups
- Trade Associations, Marketers Associations or Unions
- Women Groups
- Youth Groups

## Chapter 6: Documenting Human Rights Violations

When human rights violations occur, it is important that there is an accurate and timely account taken of the incident, either to be presented in a legal case or used to document a trend in human rights violations.

Documentation consists of four main steps:

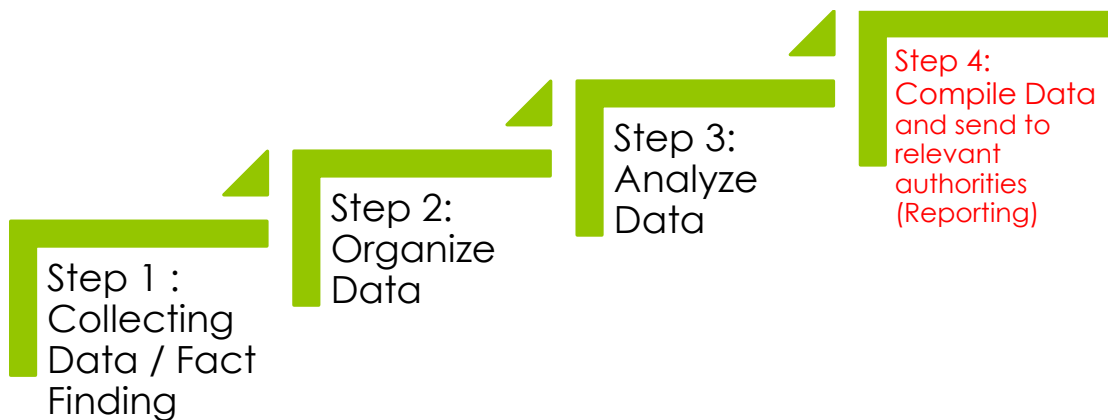


Figure 3

We will discuss the first three steps – collecting, organizing, and analysing data - in this chapter, and focus more on reporting in Chapter 7.

### 6.1 Collecting Data or Fact-Finding

Before documentation can occur, a monitor needs to know the facts. When an incident or account of human rights violations are brought to the attention of human rights monitors, they must engage in fact finding. **Fact-finding** involves the collection of information that either proves or disproves that the incident occurred.

Fact-finding will help the monitor collect key information about the incident, which will later form the basis of their analysis and reporting. The objective of fact-finding is to first and foremost determine if a violation did occur and what type of violation was involved. Once this is determined, there are key questions that the data collected should be able to answer:

- **Who** was involved? Who is/are the victims? Who is/are the perpetrator? Who witnessed the incident?
- **What** took place? What is the timeline that the incident occurred? Have similar incidents occurred before?
- **Where** did the incident occur?
- **When** did the incident occur?

- **Why** did the incident occur? Were there any warning signs or events that may have led to the incident?
- **How** did authorities respond? Was anyone arrested?

This list of questions is not exhaustive and is dependent upon the type and complexity of the violation that occurred.

The type of violation and the circumstances will also determine what methods a monitor can use to collect data. The possible methods include:

**Missions:** Monitors travel to the location where the incident took place. It can be a short-term mission or it may be a long-term mission where the monitor stays in a location to collect information on violations that may be ongoing.

**Observation:** Monitors may observe events, trials, elections, or demonstrations to ensure that the process is properly carried out. For example, a group or individual may monitor a campaign rally to observe the behaviour of security forces or they may visit a prison to ensure that prisoners are treated humanely.

**Interviews:** Monitors can speak directly with individuals who have knowledge of the incidents that occur. This could include the victim(s), eyewitnesses, or community authorities. See Section 6.1a for more information on conducting good interviews.

**Site Visits:** Information can be collected at the scene where an incident occurred. For example, if there is a case of poor working conditions, the monitor should try to visit the work site to see the conditions him/herself.

**Surveys:** Monitors can conduct surveys to understand the scale of human rights violations. It can help a monitor to better see how frequently incidents occur. Surveys can also be used to understand the context or environment by asking a larger number of sources.

**Focus Groups:** Monitors can gather a small group (8-10 people) to discuss incidents that occur. In a group, people may be more encouraged to speak up or may provide different pieces of the puzzle.

**Audio-visuals:** Information on human

### Box 8: Sources of Data

The following are some possible sources of information including possible individuals you should speak to or material evidence you should collect:

#### Individuals/Groups

- Victims
- Eyewitnesses
- Relatives
- Community, traditional, or religious leaders
- Other local human rights activists
- Medical personnel
- Journalists
- Security agents
- Judicial agents

#### Material Evidence

- Hospital or morgue records
- Court and police records
- Weapons or ammunition at the scene
- Pictures of the victim's wounds
- Pictures or video of the scene of the incident



rights violations is more reliable if there is video and picture evidence that supports the facts. Monitors should always carry a camera to capture audio-visual evidence, for example, homes that have been burned or property destroyed.

### 6.1a Interviewing Tips

Interviews are the most common and often the most effective tool in the monitor's tool box for collecting information on human rights violations. However, a good interviewer does more than just ask questions. A monitor must go into an interview aware of what information they hope to gain, what questions they should ask, how to ask good follow-up and clarifying questions, and how to treat the interviewee who may have experienced or witnessed a traumatizing incident.



#### Step 1: Preparing for the Interview

Half the work of conducting a good interview takes place before the interview even starts. If a monitor goes into an interview unprepared, s/he is likely to miss asking key questions and collecting important information about an incident. Therefore, it is important that a monitor prepare for an interview in advance.

The first step is to identify what kind of information you hope to learn from the interview. What do you not know about the incident that the interviewee might be able to tell you? After identifying the type of information you hope to gain, it is important to write out the questions you must ask to illicit that information. Writing out the questions in a checklist will help you stay on track during an interview and ensure no important questions are missed. Figure 4 is an example of an interview checklist that you might use in an interview and can be tailored to a specific incident or type of violation. The questions are just samples. As the interviewer, you should think carefully about what questions you should ask, depending on the type of violation that occurred.

**Figure 4: Sample Interview Checklist**

<b>INTERVIEW DETAILS</b>	Name of Interviewer(s)
	Location of Interview
	Date and Time of Interview
<b>PERSONAL DETAILS</b>	Full Names
	Age/Date of Birth
	Sex
	Address, Telephone Number
	Occupation/Employment/Name of Employer
	Family Status
	Nationality
	Religion
	Ethnic Group
<b>DATE AND TIME OF THE VIOLATION</b>	<input type="checkbox"/> Day, Month, Year, Hour?
<b>LOCATION OF VIOLATION</b>	<input type="checkbox"/> Where exactly did the violation take place?
<b>WHAT VIOLATIONS OCCURED</b>	<input type="checkbox"/> What did you witness? (It is important to separate what the individual actually saw or experienced versus what they may have heard from other people? Describe the incident (or incidents) in detail? <input type="checkbox"/> What happened leading up to the violations? (This could even mean asking questions about the history of the area or the community)
<b>PERSONS INVOLVED IN THE VIOLATION</b>	<input type="checkbox"/> Do you know the violators? Did you see them, would you recognize them if you saw them again? <input type="checkbox"/> If they are security actors, which forces did they belong to? How do you know? <input type="checkbox"/> What type of vehicle (brand, colour, number plate) were they using?
<b>WITNESSES</b>	<input type="checkbox"/> Did other members of the community or outsiders see the violation(s)? Who were they? (Collect full details, names and addresses if possible)
<b>INJURIES AND DAMAGE</b>	<input type="checkbox"/> Any physical injury? If yes what part of the body. Any property damage? (Take pictures if possible). <input type="checkbox"/> Did the victim(s) go to a doctor, medical clinic or hospital? Request for the medical report if available? If not available ask why?
<b>RESPONSE BY AUTHORITIES</b>	<input type="checkbox"/> Was anyone arrested or detained? Did they give a reason for the arrest? Did they show any warrant? <input type="checkbox"/> Was the victim taken away? How? Can you identify the type and number of vehicle? How many people were involved in the operation? <input type="checkbox"/> Are you aware of any investigation by the authorities? If yes, who have they interviewed? Has any action been taken?
<b>ADDITIONAL QUESTIONS</b>	<input type="checkbox"/> Is there anything that I may have left out but you want to share with me? Additional questions that may be necessary

## Step 2: Arranging the Interview

When making arrangements for an interview, there are a few key points to keep in mind:

- **Timing** – The interview should be conducted immediately after the incident occurred if possible. If too much time elapses, the victim or eyewitnesses may forget key information.
- **Introduce yourself and share purpose** – Ensure that the interviewee is aware of the purpose of the interview and what the information will be used for.
- **Voluntary participation** – Never force a person to give a statement or interview. Providing information is voluntary and the interviewee should be made aware of this.
- **Security** – When choosing a location, ensure that it will be safe for both you and the interviewee. You should choose a location that is comfortable for the interviewee, but will also not attract too much attention to what you are doing.
- **Confidentiality** – Unless the interviewee explicitly grants you permission to use information that could identify them, do not use it. (See Box 9)

### Box 9: Confidentiality

**Confidentiality**, or *maintaining the anonymity of an interviewee or contact*, is a key factor in gaining the trust and ensuring the safety of those that human rights actors work with. Before interviewing or working with someone, it is important to explain their right to confidentiality. To help explain the principle of confidentiality and provide added assurance, consider giving them a written confidentiality notice. Below is an example.

*Participation in this interview conducted by (insert monitor's name or organization) is voluntary. You may decline to answer any question or decide to end the interview at any time. The information that you provide may be used to report violations of human rights. However, your identity will remain confidential. (Insert name or organization) will not use your name or identifying features without your prior consent.*

## Step 3: Conducting the Interview

When conducting the interview it is important to keep these points in mind:

- **Ask clarifying or follow-up questions** – While it is important to follow your interview checklist, it is equally important to follow up with clarifying questions.
- **Record the answers accurately** – Record as much of the interviewee's responses as possible. Using a voice recorder can further ensure accuracy. However, the interviewee should be made aware that s/he is being recorded and understand the risks of their voice being recognized.
- **Capture direct quotes** – Direct quotes are seen to be more reliable than a summary of what someone says. They also paint a more personal picture of what happened.
- **Ensure the interviewee is comfortable** – While it is important to draw out as much

information as possible, their participation is voluntary and they can refuse to answer any questions and should know that they can end the interview at any time.

- **Check your checklist** – Before completing the interview, refer back to your checklist to ensure that you did not miss any questions.

#### **Step 4: Evaluating the Interview**

After completing the interview, it is important to evaluate how the interview went, both to improve your interviewing techniques and to determine your next steps.

Ask yourself:

- Did I get all of the information that I need?
- Did I miss any questions?
- Did new information emerge that I need to find out more about?
- Did the information I received verify what I already know?
- Is there information that I need to verify?

Based on these questions, you may need to re-interview the person or identify new contacts to interview to find out more information.

## **6.2 Organizing Data**

It is important that monitors and monitoring organizations have a system in place for organizing information collected about human rights violations. Having a consistent process for organizing this data will make the process of analysing the data much easier. Monitors should consider using templates like the Interview Checklist or mission or site visit report template to ensure consistency in how incidents are document.

Data security is also an important consideration. Individual monitors and monitoring organizations should carefully consider how this information will be stored in a manner that is both accessible for those working on the case, but secure. For example, if security agents raid an office and take files on a human rights case, they may have access to information about the victim or confidential informants that could put these individuals at risk. You should consider how you can protect your data from these risks.

## **6.3 Analysing Data**

After collecting and organizing data, but before cases are reported, the next step in the documenting process is the analysis.

When looking at an individual incident, we return to one of the first questions we asked when fact-finding: Is the case at hand a human rights violation? This question requires us to examine all of the data collected and compare it with international human rights

instruments, humanitarian conventions, and the Nigerian constitution and laws to determine if a clearly defined right was infringed upon. Do all the facts support that a violation has taken place? Are you certain that all of the information is valid?

Once we determine that a human rights violation has indeed occurred, it is then important to consider if the violation is part of a trend:

- Is this case one of several cases of this type of violation?
- Are the violations occurring in a particular area or location?
- Is there a pattern in the identity of the victim (religion, ethnicity, political affiliation)?
- Is there a pattern in the identity of the perpetrator (from a particular security force, another armed group, or an individual)?
- Is there a pattern in how authorities respond (are victims detained, are the cases ignored, have perpetrators been questioned or arrested)?

After identifying these patterns or trends, it is important to draw upon your knowledge of the context to perhaps point to why this trend is occurring? These questions may require reaching out to other human rights actors to determine if they have collected similar information in the same area or perhaps in other areas.

## CHAPTER 7: HUMAN RIGHTS REPORTING

The purpose of reporting information gathered above is to share and provoke affirmative actions whether as a preventive measure or as a response measure.

Reports on human rights violation can take many forms or follow many different patterns but there are critical questions that you need to consider before you commence the writing of the intended report. They are:

**What must be proven and highlighted?** Every report must show evidence that the violation alleged truly happened. The message that you are trying to convey must be clearly presented. It could be to emphasize a pattern of impunity, violence, indifference, or lack of progress.

**What is the main objective of the report?** A human rights report could have one or more clearly defined objectives. Objectives could include redress for victims; policy changes; drafting and implementing of new laws to address subsequent violations; eliciting public opinion; or putting pressure on the government or perpetrators of violations.

**Who is the target audience?** Is the report targeting the government; the media; the public; international community; other NGOs, etc.? Take note that the target audience influences the form the report will take.

**Persuasive and credible presentation of findings:** Your arguments and facts must be presented in a logical, convincing and credible manner. The following gives an example of how to arrange your report:

1. The political, historical or economic context and circumstances;
2. Methodology used to gather facts
3. A description of the incident;
4. The nature of the human rights violation
5. The identity of the victims, unless it is confidential
6. The alleged perpetrators and/or responsibility of the authorities
7. Recommendation on actions to be taken

It is also important to ask yourself if your report meets the following criteria:

**Concise and clear:** Remember the acronym KISS – Keep it Short and Simple

**Accurate and precise:** This entails that all information provided is verified.

**Prompt:** It is important to produce the report with a sense of urgency except if the release of such report will provoke violence.

**Neutral language:** Avoid insulting or loaded words that may demonstrate a lack of impartiality.

**Action-oriented:** In producing the report, you should remember that the report is not an end in itself, but a means to an end. The report should inspire actions in response to the concerns raised in the report. Therefore, appropriate recommendations, based on the assessed situation, should be to key actors and authorities.

## Chapter 8: HUMAN RIGHTS ADVOCACY

*This chapter focuses on advocacy strategies monitors may wish to use in making the outcome of their MDR more impactful.*

Human rights NGOs are a good independent source for research and hub for information as regards the state of human rights in the country. This is because through MDR, they are able to give reliable information and coherent analysis of the human rights situation. These reports enable human rights and civil society actors to engage effectively with the government to improve human rights in Nigeria.

However, reporting human rights violation is not an end, but rather a means to an end as it forms the basis for further action. This is where advocacy enters the picture.

### 8.1: What is Advocacy?

Advocacy is a crucial component of human rights work and finding the right allies and support is a key ingredient to success. **Advocacy** is the process of drawing attention to an important issue, and directing decision makers toward a solution.

The goal of advocacy is to build support for a cause or an issue and gain the support of a critical mass of people or key people who support it, thus gaining the influence to change legislation or policies that affect that issue.

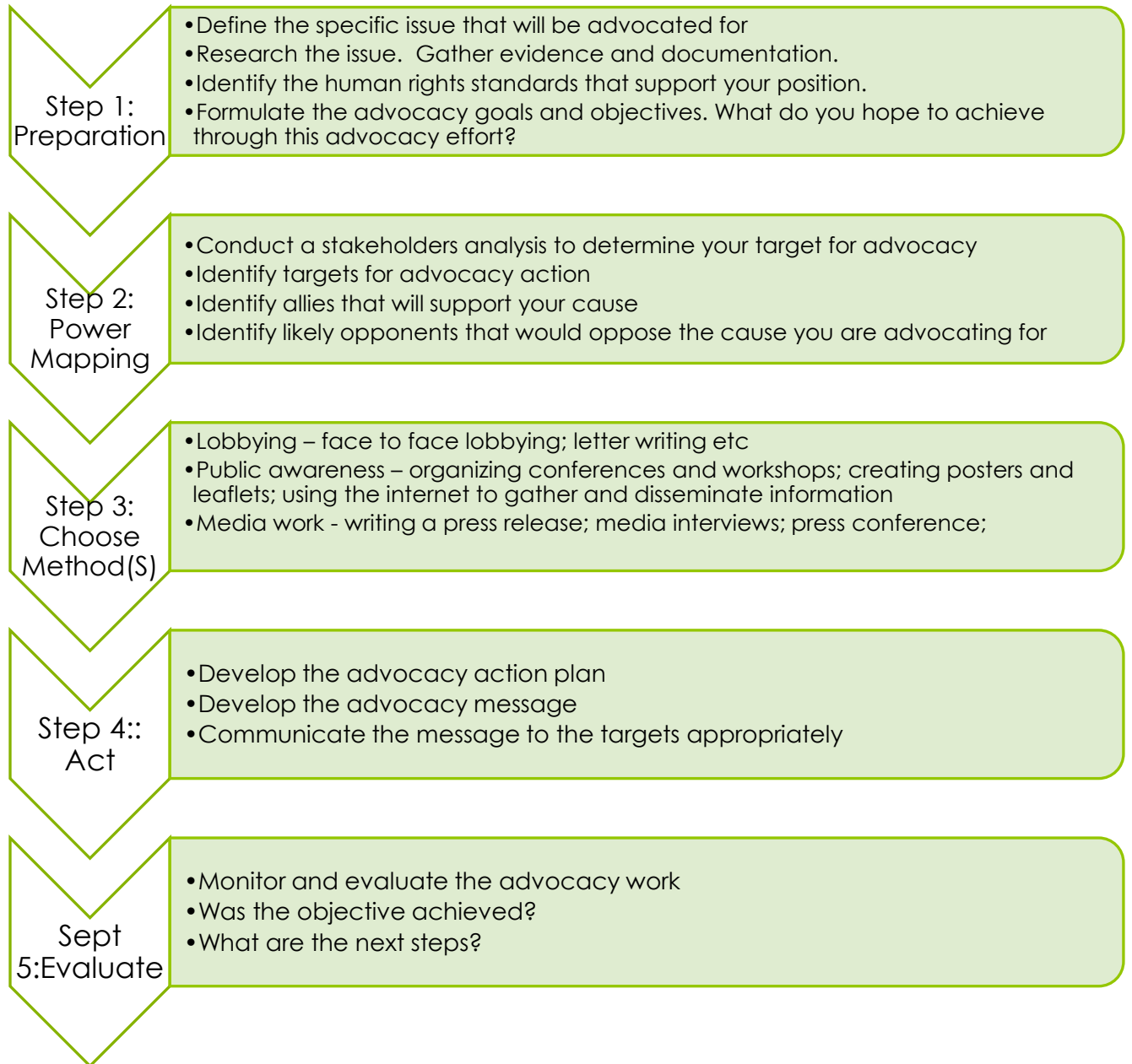
Advocacy can be directed at different targets. Groups may try to advocate to international human rights bodies to put international spotlight on an issue. Others may try to lobby legislators to gain passage of a law that addresses a human right issues. Using media like television or radio, a group may try to mobilize mass support for a cause.

### 8.2: Stages Involved in Advocacy

The following are the key steps involved in advocacy:



**Figure 5 Five Key Steps for Advocacy**



## Chapter 9: CONCLUSION

Groups and individuals who are involved in human rights monitoring, reporting and advocacy are on the frontlines of combating abuses and promoting respect for human rights. As Nigeria faces different forms of violent conflict, it is more important than ever for human rights monitors to be out in the field collecting information and documenting human rights abuses.

It is important to remember, however, that human rights monitors are not alone in this effort. Community members and leaders, security agents, and government officials are all partners in this process. In addition, human rights monitors and groups need to work together in the challenging process of reporting on human rights abuses. Working with these groups and agencies that specialize in human rights protection like the National Human Right Commission, the reports are an important step in seeking accountability for human rights abuses, justice for victims, and the foundation for advocating for policies and programmes that promote and protect human rights.

We hope that this guidebook serves as a useful tool in the human rights monitor's toolbox to assist in this challenging but immensely important role in protecting human rights.

## Appendix 1: Further readings

- The Universal Declaration of Human Rights
- 1999 Nigeria Constitution
- African Charter
- United Nations High Commission on Human Rights
  - For information relating to state reporting to the different treaty bodies as well as the status of ratification both by country and by treaty: <http://unhchr.ch/tbs/doc.nsf>
  - For the full text of United Nations treaties in selected subject areas. In most of these texts (before the Preamble) the status of ratification is inserted as a link. The status includes an update on reservations made by the ratifying states. <http://www.unhchr.ch/html/intlinst.htm>
- United Nations - for general information on UN and human rights <http://www.un.org/rights/>
- Organization of American States - a complete list of treaties and their ratification: <http://www.oas.org/en/prog/juridico/english/treasub.htmlor>
- To see the work of international human rights monitoring groups visit:
  - Human Rights Watch
  - Amnesty International
- <http://www.rapidepana.com/dem/oau/oau..freed.htm>

## Appendix 2: Nigeria's Treaty Obligations

Treaty	Organization	Introduced	Signed	Accession, Ratification
Convention on the Prevention and Punishment of the Crime of Genocide	United Nations	1948	-	2009 (A)
International Convention on the Elimination of All Forms of Racial Discrimination	United Nations	1966	-	1967 (A)
International Covenant on Economic, Social and Cultural Rights	United Nations	1966	-	1993 (A)
International Covenant on Civil and Political Rights	United Nations	1966	-	1993 (A)
First Optional Protocol to the International Covenant on Civil and Political Rights	United Nations	1966	-	-
Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity	United Nations	1968	-	1970 (A)
International Convention on the Suppression and Punishment of the Crime of Apartheid	United Nations	1973	1974	1977 (R)
Convention on the Elimination of All Forms of Discrimination against Women	United Nations	1979	1984	1985 (R)
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or	United Nations	1984	1988	2001 (R)

Punishment				
Convention on the Rights of the Child	United Nations	1989	1990	1991 (R)
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty	United Nations	1989	-	-
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	United Nations	1990	-	2009 (A)
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	United Nations	1999	2000	2004 (R)
Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict	United Nations	2000	2000	-
Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	United Nations	2000	2000	2010 (R)
Convention on the Rights of Persons with Disabilities	United Nations	2006	2007	2010 (R)
Optional Protocol to the Convention on the Rights of Persons with Disabilities	United Nations	2006	2007	2010 (R)
International Convention for the Protection of All Persons from Enforced Disappearance	United Nations	2006	2009	-
Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	United Nations	2008	-	-
Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure	United Nations	2011	-	-

<sup>i</sup> Ukweli Handbook: Monitoring and documenting human rights violations in Africa, Amnesty International Netherlands and CODESIRA, 2000

<sup>ii</sup> Freedom House "Freedom In the World Report 2014: Nigeria"

<http://www.freedomhouse.org/report/freedom-world/2014/nigeria-0#.U9vJksakou8>