

MANUAL ON human rights MONITORING

Chapter 13

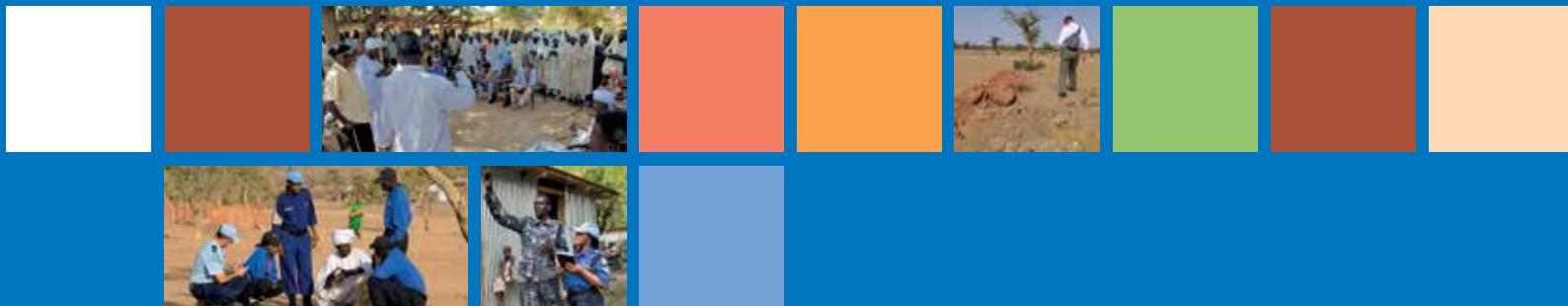
HUMAN RIGHTS REPORTING

Chapter 13 Human rights reporting

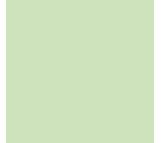


UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

HUMAN RIGHTS REPORTING



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A. Key concepts



- **Reporting is an essential element of the human rights monitoring cycle. It constitutes a strategic tool to record and analyse information, present findings of monitoring and fact-finding activities, express concern about a human rights problem, engage in dialogue with duty bearers, advocate positive change and propose recommendations for corrective action.**
- **Human rights field presences prepare both internal and public reports, as well as confidential reports to Governments.**
- **Internal reports are used to communicate information within the field presence or between the latter and its parent organization. Typically, they are:**
 - Interview reports to record the results of individual interviews with victims, witnesses, alleged perpetrators or other sources of information;
 - Incident or investigation reports;
 - Flash or emergency reports to alert managers to an emerging situation and the need for action;
 - Reports to the head of mission (only for human rights components that are integrated in peace operations or political missions);
 - Reports to OHCHR headquarters.
- **Public reports are for use outside of the field presence and its headquarters, and should be part of a reporting and advocacy strategy with key objectives. They are normally:**
 - Reports to United Nations bodies and mechanisms;
 - Public reports on the human rights situation, a thematic issue or a specific investigation.
- **All human rights reports, regardless of their type, should:**
 - Contain key messages tailored to the target audience;
 - Be self-standing and based on thorough and accurate information;
 - Be drafted in simple and objective language and a clear and consistent style;
 - Be produced promptly after completion of the monitoring activity;
 - Be issued following the appropriate clearance procedures.
- **Human rights reports should apply the following methodological standards:**
 - Respect confidentiality of information and informed consent;
 - Include facts and analysis, and clearly identify each;
 - Be based on corroborated information;
 - Integrate a gender analysis and use gender-sensitive language;
 - Be action-oriented with a few concrete, practicable and time-bound recommendations;
 - Explain the methodology used.



B. Introduction

Reporting is an **essential element of the human rights monitoring cycle**¹ and a fundamental part of a field presence's human rights work and strategy. Human rights reports constitute a primary tool to record and analyse information, present findings of monitoring and fact-finding activities, express concern about a human rights problem, engage in dialogue and advocate with authorities, and propose recommendations for corrective action. Reporting what has happened in a country or region or a specific human rights incident is, therefore, a crucial step for the development of strategies to address the situation. Properly following all the steps in the monitoring cycle is paramount to producing a good human rights report.

Each human rights field presence is required to prepare different types of reports, which must be **adapted to its mandate** and needs. Reporting involves a process of reviewing raw information gathered on a human rights problem, refining and processing it in an organized and logical manner, and subsequently analysing and assessing it to draw conclusions and recommendations for action. Unless this process is rigorously followed, the report may lack sound and quality information, which could ultimately jeopardize the integrity and credibility of the field presence.

This chapter makes a distinction between internal and public reports. From the point of view of a specific field presence, **internal reports** are those that are produced to record and communicate information within the human rights field presence (e.g., incident reports, periodic reports from field offices to the central one) or between the latter and its parent organization at headquarters (e.g., periodic reports to OHCHR in Geneva). When the field presence is integrated in a United Nations peace operation or political mission, it also produces internal reports for use and dissemination within the mission (e.g., periodic reports to senior management or coordination mechanisms). These reports are not for external dissemination.

Public reports are for use outside the human rights field presence and its headquarters. They may be mandated reports to United Nations bodies and mechanisms (e.g., to the General Assembly, the Security Council or the Human Rights Council), or public periodic, thematic or investigation reports. Public reports can constitute powerful protection and advocacy tools to draw the attention of the State or the international community to the need for further action to address a human rights problem.

Additionally, field presences may produce **confidential reports to Governments**, which are neither internal to the presence nor for public dissemination.

Upon deployment, human rights officers (HROs) should be informed of their reporting obligations, including of the reports' periodicity, type, format, intended use, clearance procedures, as well as existing guidelines and procedures to be followed for their preparation. The central office of the field presence normally compiles and analyses information reported by its field offices to produce other types of internal and public reports and briefings. Knowing the purpose and the way in which a report by the field presence will be used facilitates the work of the HROs who have to write it.

¹ See chapter on *Definitions and the human rights monitoring cycle*.



This chapter explains the process of preparing different human rights reports. It provides general principles on reporting and specific practical guidance on how to write reports concerning human rights problems. It also explains the different types of reports that a human rights field presence may produce and the use it may make of them. This chapter does not cover reporting on programmatic issues, such as results-based monitoring and evaluation.

C. General principles of reporting

Although reports can take many forms and follow different approaches, HROs should apply the following principles in the preparation of all their human rights reports.

1 Purpose and target audience

As human rights reports can be produced for a variety of reasons, managers and HROs should think strategically to define the main **objective(s)** that a report aims to achieve, as well as its desired impact. For instance, when planning the preparation of a public report, they should consider its expected impact at different levels, including on the Government, civil society and the international community. This reflection should help field presences and HROs identify the report's key messages, the intended audience, the timing and the manner in which information should be presented – regarding content, form, level of detail, language and style – to ensure that the underlying message is conveyed properly and in a timely manner to the readers.

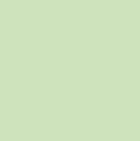
2 Accuracy and thoroughness

Human rights reports should be accurate and precise, based on information that has been carefully corroborated according to agreed standards (see sect. D below). Moreover, as a general principle, when drafting reports HROs should make no assumptions of the prior knowledge of the reader. Reports should be **self-standing** and **thorough**, requiring as little reference to previous reports or other documents as possible. HROs should provide sufficient detail and information to accurately portray the human rights situation or problem in a way that can be understood by the intended audience, while also being concise.

3 Style

Generally, reports should be written in **simple and neutral language**, without subjective elements, jargon or unnecessary adjectives. They should be **clear, concise and well organized**. HROs should describe events or human rights problems impartially, and refrain from using politically or otherwise loaded words or emotive language that may lead to a perception of bias.²

² HROs can also consult the online version of the *United Nations Editorial Manual*, available from <http://dd.dgacm.org/editorialmanual/> (accessed 14 April 2015), which is a useful resource that serves as an authoritative statement of the style to be followed in drafting, editing and reproducing United Nations documents, publications and other written material.



Tips to improve clarity and consistency in style

- State a fact or an idea clearly
- Ensure that the main point or information is clearly stated at the beginning of the sentence or paragraph
- Keep the subject close to the main verb
- Use the active voice (rather than the passive)
- Use short sentences and paragraphs
- Eliminate repetitions and unnecessary words
- Use appropriate language – avoid too many adjectives, adverbs or jargon
- Avoid abbreviations and acronyms, and if you must use them, do so sparingly and always explain them
- Use gender-sensitive language (e.g., “s/he” or plural forms, when appropriate)
- Use direct quotes, so that sources “speak for themselves” (when appropriate)

4 Consistency

Human rights reports must be prepared using consistent approaches to human rights information, terminology (e.g., standardized spelling of names and locations, qualification of violations), data compilation, presentation and analysis. Field presences should follow guidance on reporting issued by OHCHR for different kinds of reports, and adopt, as needed, specific **reporting guidelines**.

As most reports produced by field presences are based on information contained in internal reports drafted by HROs deployed in different field offices, it is important for field presences to use **standard templates for the various types of reports** to ensure consistency of reporting and comparability of data among field offices. The format should be specific enough to match the objective of the report and ensure uniform reporting by different HROs in different locations, while allowing some degree of flexibility (see annex below).



Côte d'Ivoire

Several human rights field presences have adopted internal directives to regulate the submission of reports from field offices to the central office and those prepared centrally. For instance, the human rights component of the United Nations Operation in Côte d'Ivoire (UNOCI) has an internal *General directive on human rights reporting*, which stipulates the types of reports to be prepared by the field presence, who is responsible for drafting them, the deadlines for the submission of reports and the dissemination procedure, and includes templates for all types of reports.

The **use of a standardized human rights case database**, where information is recorded according to pre-established fields and controlled terminology, is the preferred method to record information about human rights problems, since it improves consistency. Comparability and consistency can also be promoted by training HROs on human rights reporting standards and methodology, and continuous mentoring and feedback by supervisors and managers.



5 Promptness

Prompt reporting on a human rights problem is crucial to the effectiveness of the human rights field presence, not only in raising concerns with the authorities and other stakeholders in a timely manner, but also in improving the chances of a positive impact, in serving as an early warning mechanism and in preventing future violations. HROs should write up detailed notes of any interview, meeting or field visit they have conducted in relation to a human rights problem as soon as possible, while the information is still fresh in their memory, preferably in a database. Reports should then be produced based on the various sets of notes.

6 Quality control and clearance

Depending on the structure of a field presence, different clearance procedures may be in place for the issuance of different types of reports, and HROs should be aware of those. Generally, supervisors must carefully review initial draft documents prepared by HROs before sharing them with the central office, to guarantee quality control, ensure that relevant information and analysis have been incorporated, that politically sensitive issues are presented appropriately and that they fulfil the intended purpose. For public reports, drafts must be cleared by the head of the field presence (and others depending on existing procedures for specific reports), who sends them to OHCHR headquarters for review and approval before their release. Where appropriate, draft reports may also be shared with relevant mission components and United Nations entities.

D. Methodological standards for human rights reports

HROs should apply the following methodological standards when drafting human rights monitoring or investigative reports.

1 Facts and analysis

All human rights investigative reports should clearly reflect both **facts and analysis**; i.e., an accurate account of the facts based on the information gathered during the monitoring activity, and a separate analysis and assessment of whether the facts constitute violations of international human rights or humanitarian law.

HROs should provide the relevant contextual elements to understand the human rights situation or problem that is being described, as facts out of context can be misleading. The **narrative of facts** should answer the questions: Who did what to whom? When? Where? How? Why?

Analysis has to be reflected in all human rights reports. HROs should present their analysis and conclusions on the information gathered separately, so that the reader can clearly distinguish between the two. Analysis should encompass:

- An *analysis of the facts* established through information gathering;
- A *legal analysis* to determine which human rights standards have been breached; and
- An *analysis of the responsibilities* of the alleged perpetrators, whether institutions or individuals. (See chapter on *Gathering and verifying information* [1]).



In periodic or thematic reports, HROs normally also **identify trends and patterns of violations** through the analysis of a number of cases over a period of time, and by focusing on one or several variables (e.g., identity of victims, location of violations, methods used to commit the violations, identity of perpetrators). Identifying patterns and the systematic nature of certain violations is essential to assess developments in the human rights situation over time and devise intervention strategies.

Public reports should reflect both positive developments and obstacles, and include solid recommendations. The aim should be to identify human rights problems and make proposals to the Government and other duty bearers on how to address them; and highlight any constructive action by the latter in response to the problem.

2 Confidentiality and informed consent

All **information gathered through interviews** that is included in a report (internal or public) must be based on the prior **informed consent** of the interviewee. During the interview, HROs must inform victims, witnesses and other sources of information about the principle of confidentiality and obtain their informed consent to be able to use and/or share the information they provide. Consent has to be specific and granted in full awareness of the risk of retaliation or harm. Hence, HROs have to explain how they intend to use the information and whether it will be included in an internal and/or public report (see chapter on *Interviewing* ).

If interviewees do not consent to the information they provided being used in an internal or public report, such information cannot be reported, unless it can be presented in an aggregated manner with no individual markers (e.g., only for statistical purposes or trend analysis).

Even when informed consent has been obtained, HROs have the responsibility to **assess the risk of harm** to the person providing the information and to others before including it in a report. If the assessment confirms a threat or risk of harm, then the information provided cannot be reported (see chapter on *Protection of victims, witnesses and other cooperating persons* ).

As a general rule, the **identities and other personally identifiable data (PID)** of victims, witnesses, alleged individual perpetrators and other sources of information (e.g., date of birth, address, phone number) **must be kept confidential** at all times. This means that HROs must conceal (e.g., using code names) or omit any information from reports that could lead to such a person being identified. Such information should be included only in the corresponding case file, which should be securely stored in the field presence's information management system.



Afghanistan

This excerpt from "Treatment of conflict-related detainees in Afghan custody: One year on", a joint public report issued by the United Nations Assistance Mission in Afghanistan (UNAMA) and OHCHR in January 2013, illustrates how information can be presented without mentioning identities or PIDs of individuals: "For reasons of security and confidentiality, this report refers to detainees by number. In this context, to protect the identity of individual detainees, the term "detainee" refers to persons suspected, accused or convicted of crimes."



In exceptional circumstances where a person has expressly agreed to have her/his identity disclosed, and after a careful assessment of each case and in consultation with the senior management of the human rights field presence, the name of the individual may be mentioned in reports. Such circumstances may include situations where the risk assessment confirms that by relaying such data the expected protection outcome clearly outweighs the risks; or where the person is a well-known or public figure who has already disclosed the same information publicly (e.g., in a press statement or on the Internet).

In addition to protection concerns, the principle of due process and the right to a fair trial would also preclude alleged perpetrators from being named in public reports, save in very exceptional circumstances.

3 Corroboration and standard of proof

Human rights reports should be written on the basis of **corroborated information**. While different types of reports may require different levels of corroboration, they should never be based on rumours or uncorroborated information. Hence, it is important for HROs to explain the methodology used to gather and corroborate information, in order to assert the integrity of the report, establish the credibility of the sources used and the validity of the information the report contains (see chapter on *Gathering and verifying information*

Whenever HROs are unable to corroborate certain facts (e.g., an incident that cannot be fully established) or confirm the credibility of a source (e.g., video footage accessed on the Internet), they should clearly state this in the report, and separate this information from corroborated data. HROs can report uncorroborated information using the conditional tense or using words such as "reportedly" or "allegedly".



Iraq

Since 2008, the human rights component of the United Nations Assistance Mission for Iraq (UNAMI) has produced periodic public reports on civilian casualties from armed violence and acts of terrorism in Iraq, with data disaggregated by region and other criteria. In analysing civilian casualties, the UNAMI human rights component uses a wide range of sources of information, including victims and their relatives, witnesses, community elders, religious and civil leaders, government officials at all levels, United Nations entities, civil society, the media, members of the international community and other international organizations. When the field presence is not satisfied with the corroboration of an incident, it will not report it. If information is equivocal, it will not draw conclusions until additional satisfactory information is obtained. Otherwise, the case is closed without conclusion and it is not included in statistical reporting or analysis.

Generally, human rights violations reported in public reports should meet the threshold of *reasonable grounds to believe* that such violations occurred. This means that there must be corroborated facts or information which would satisfy an objective observer that the violation is likely to have occurred. More serious or controversial allegations may require HROs to apply a higher standard of proof regarding the precision with which the facts are reported or to cross-check information with more independent sources.



4 Action-oriented

Reports, especially public ones, should be **action-oriented and set forth recommendations** for action by the relevant stakeholders, such as the Government, national institutions, civil society, non-State actors, the United Nations system, third States or the international community.

When drafting recommendations, HROs should bear in mind the **most immediate and direct impact on rights holders**. Recommendations should be carefully worded. It is useful to structure them according to their addressees.

They should be:

- Limited in number – prioritize the most important ones
- Targeted – to the specific actors who are expected to implement them
- Concrete – stating what is expected in practice
- Concise – explained in a brief manner, straight to the point
- Clear – understood in an unambiguous way
- Constructive – formulated as guidance tools for the addressees
- Specific – reflecting the issues raised in the body of the report
- Practicable – feasible
- Relevant – enabling to effect the necessary changes to improve the situation
- Time-bound – within a realistic time frame for implementation



Action-oriented recommendations

The following sample recommendations are based on annual reports of the United Nations High Commissioner for Human Rights on the human rights situation in different Latin American countries.

The High Commissioner for Human Rights:

- Exhorts the Ministry of the Interior to apply a differential approach in the process of regulating the exercise of indigenous authority, and calls upon the State to carry out prior consultation not as a formality but based on protocols created with each ethnic community to ensure the fulfilment of their rights;
- Encourages the State to design a system to monitor the use of its regular budget and royalties to comply with its obligations for the progressive realization of economic, social and cultural rights as a means to address long-standing rights issues, such as equal access to health, education and employment opportunities;
- Urges the judicial branch, the Public Prosecutor's Office and the Constitutional Court to define institutional policies with a gender perspective, with a view to improving women's access to justice, the labour conditions of female personnel and women's access to the judicial and public prosecutor's career system, among other policies to reduce existing gender gaps and combat gender-based discrimination;
- Encourages the Attorney General and the judiciary to continue efforts to investigate violations committed during the armed conflict and to prosecute perpetrators, including those with command responsibility, and underscores the importance of interpreting national legislation consistently with the principle of inadmissibility of amnesties for serious human rights violations.



After a report is issued, HROs should follow up and assess the implementation of the recommendations formulated in it so as to monitor progress in the human rights situation. When a field presence reports periodically on a human rights issue or situation, the report should also present an assessment of progress made since the previous report, including on implementing the recommendations.



Occupied Palestinian Territory

In 2012, the Secretary-General issued a report on the progress in implementing the recommendations of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/21/33). The report reviewed all recommendations made by the Mission (A/HRC/12/48), and provided detailed information on non-implementation and the measures required to ensure the most adequate and effective implementation.

5 Gender sensitivity

When writing human rights reports, HROs need to ensure that a **gender perspective** is integrated. This means for example that a **gender analysis** is undertaken to assess the different impact of violations on women, men, girls, boys and others (e.g., transsexual or intersex people), that **sex-disaggregated data** are included and that **gender-sensitive language** is used (see also chapter on *Integrating gender into human rights monitoring*



Gender checklist for reports

- Does the report address gender as a specific subject?
- Does the report address gender in a specific section and/or is it mainstreamed throughout?
- Does the report contain sex-disaggregated data or information? When is gender identification used (i.e., mentioning women, men, girls, boys and others)?
- Do the sources of information of the report include women's groups or women human rights defenders?
- Does the report use gender-sensitive language?
- Does the report represent the point of view of women, men, girls, boys and others?
- Are the pictures contained in the report representative of the reality of women, men, girls, boys and others? Do they convey stereotypical images of some of these groups?
- Does the report analyse how human rights violations affect women, men, girls, boys and others differently?
- If the report deals with specific cases, do these concern women, men, girls, boys and others?
- If the report mentions human rights or development indicators, does it include indicators to measure gender equality?
- Does the report explicitly indicate the action(s) taken or the position and policies adopted by the human rights field presence, other United Nations entities or the Government to promote gender equality or women's human rights?



E. Internal reports

As stated in the introduction, internal reports are mainly:

- (a) Reports written to communicate information within the human rights field presence;
- (b) Reports from the field presence to the parent organization at headquarters; and
- (c) Reports of a human rights component integrated within a United Nations peace operation or political mission to the head of mission.

1 Reporting within the human rights field presence

Internal reports produced within the field presence are most likely to be written by HROs deployed in field offices and then submitted to the central office of the field presence. The aim of such reports is usually to present an accurate picture of the human rights situation or of specific cases in the area of responsibility and to recommend follow-up actions. For reasons of confidentiality, certain internal reports must be kept within the human rights field presence and not distributed to other actors, including United Nations entities and – for field presences integrated in peace operations – other mission components.

Although field presences with a monitoring mandate may produce different types of internal reports,³ usually these four categories are common to all: (a) interview reports; (b) incident reports; (c) flash or emergency reports; and (d) periodic reports.

(a) Interview reports⁴

Interview reports are **written accounts of the information provided by an individual** (victim, witness, alleged perpetrator or other source) **during an interview**. Interview reports must be drafted as early as possible after the interview to ensure the information is recorded accurately. Field presences that have a human rights information management system must enter the information related to each interview in the corresponding fields provided in the database. Information contained in interview reports normally feeds into other reports, such as incident or investigations reports (see below). Because interview reports **contain confidential information**, they are normally shared only with specifically designated staff.

The interview report must contain an **accurate and detailed account of the information** regarding a human rights problem (including the context and circumstances in which it occurred), as narrated by the interviewee. The narrative should be as faithful as possible to the account given by the interviewee and have the greatest level of detail, to allow anyone not familiar with the situation to easily understand and use the information.

Interview reports are normally written using the third person (e.g., "she stated that...") and using, as much as possible, the interviewee's own wording to describe facts, violations and persons involved.

³ Other types of reports produced by field presences for internal use are, for instance, mission reports and activity reports (e.g., following a visit to a detention centre).

⁴ For further guidance, see the chapter on *Interviewing*.



Interview reports should contain:

- *Date and location of the interview;*
- *Name of the interviewer;*
- *Name of other persons present during the interview (e.g., other HROs, interpreter, interviewee's guardian);*
- *Interviewee's code;*
- *Level of informed consent given to use and/or share information;*
- *Narrative of the facts as provided by the interviewee (including dates, times, locations);*
- *Affiliation of the alleged perpetrators;*
- *Identities (if known) and description of alleged perpetrators, including chains of command, as reported by the interviewee;*
- *Identities (if known) and description of other persons involved in the human rights problem (i.e., victims, witnesses, other sources), as reported by the interviewee;*
- *Protection concerns or threats to the interviewee or his/her family members;*
- *Assessment by the HRO of the credibility of the interviewee;*
- *Role of the interviewee in relation to the incident (e.g., victim, witness, alleged perpetrator, other source), as determined by the HRO during the interview;*
- *Comments and analysis by the HRO (e.g., on the demeanour of the interviewee, how s/he responded to questions, possible human rights violations to be corroborated);*
- *List of documents or material obtained during the interview (e.g., photos, audio recordings, maps, sketches, copies of medical records, death certificates, land titles), to be scanned, uploaded and safely stored separately, ideally in a secure case management system.*

For security reasons the *personal and contact information of the interviewee* (name, age, sex, affiliation, phone number, etc.) should not be recorded in the interview report, but in a separate document or directly in the human rights case database. A code should be allocated to each interviewee to be able to link the interview to the person.

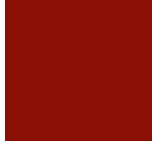
(b) Incident or investigation reports

An incident or investigation report is normally prepared by HROs during the inquiry and is finalized towards its end, when most relevant information about the human rights problem or incident has been gathered and corroborated.

Incident or investigation reports should provide a **detailed description of the events based on all available information gathered** (including from all interviewees, direct observations and on-site visits by HROs, written documentation and other means) and indicate **which human rights provisions were breached**, if any. HROs should provide an overall assessment summarizing the events, the action(s) taken by the field office, the main conclusions regarding the alleged violations and any recommendations for action by the central office.

Incident or investigation reports should contain:

- *An executive summary (only for long reports);*
- *Introduction;*
- *Methodology, challenges faced and any protection concern with regard to the sources of information;*



- *Context and detailed description of events* (Who did what to whom? When? Where? Why? How?), including the official version of the authorities;
- *Evaluation of the information gathered* (factual analysis), including gaps as well as contradictions;
- *Assessment of the occurrence of alleged human rights violations* (legal analysis) and the *alleged perpetrators* (analysis of responsibilities, institutional or individual);
- *Actions taken by the field office* to address the situation;
- *Measures taken by the authorities* to respond to the situation;
- *Conclusions and recommendations* for action;
- *List of attachments* to the report.



Tips on writing a good executive summary

An **executive summary** provides a concise overview of the report and enables the reader to quickly understand the information it contains. It should cover the following:

- Purpose of the report
- Methodology
- Main issues resulting from the monitoring activity
- Key findings
- Recommendations.

(c) Flash or emergency reports

Flash or emergency reports are normally written by field offices to promptly report to the central office **grave human rights allegations/violations**; to promptly report **major developments in the human rights situation requiring prompt and urgent attention** by the central office; or to alert the central office to an **emerging situation** which has not yet developed into a full-blown emergency, as soon as they receive the information.

Flash or emergency reports are intended to **provide the most essential information that enables the central office to take the action required**. HROs should report information that they consider important given, for instance, the gravity of the reported violations; the political and security impact; the identity of the alleged perpetrators or their hierarchical position; and other considerations, as specified by the management of the field presence.

Flash or emergency reports can also, for the same reasons, be addressed by the field presence to OHCHR headquarters.

These reports should be concise and contain:

- *The human rights problem or incident that requires attention;*
- *Actions taken by the field office to address the problem;*
- *Measures taken by the authorities to respond to the problem;*
- *Further follow-up actions planned by the field office;*
- *Recommendations for action by the central office and/or specific support required.*



(d) Periodic reports

Field offices are required to report periodically to the central office to:

- Document and assess work accomplished with regard to each aspect of the field presence's mandate or priority work;
- Alert supervisors and managers to critical cases or situations, major developments or trends; and
- Plan future efforts to improve the human rights situation.

The frequency of reporting may vary from one field presence to another: the most common are **daily, weekly, fortnightly and monthly** reports. When deciding on the frequency of reporting, heads and managers of field presences should take into account, among other things:

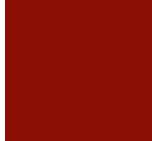
- The seriousness of the human rights situation in the country;
- The availability of an information management system to safely store and share information internally;
- The size and number of field offices submitting reports;
- The capacity and resources of the reporting team at the central level;
- The time available for preparing reports;
- The ability of HROs to get together at the central office for meetings; and
- The needs of managers and supervisors.

In peace operations settings, the timing of periodic reports is usually determined by other mission requirements (e.g., input for senior management team meetings) or reporting schedules (e.g., mission's daily or weekly situation reports). Such input is often critical to engaging the senior mission leadership and other components on human rights issues requiring attention or intervention.

The content of internal periodic reports can vary depending on the field presence's mandate and workplan. Periodic reports should indicate both **improvements and negative trends** in the human rights situation, and reflect the **major activities** of the submitting field office during the period under review. Such reports normally follow country-specific formats, and templates developed by the central office.

Weekly and monthly periodic reports normally contain:

- An executive summary;
- An overview of the most important human rights developments in the area of responsibility;
- Major positive and negative trends in the human rights situation, including monitoring of specific priorities (e.g., administration of justice; economic, social and cultural rights; elections; sexual and gender-based violence);
- A summary of work accomplished during the reporting period, including progress in completing the workplan;
- Plans for the forthcoming period;
- Requests and recommendations for the forthcoming period, including support required from the central office and/or headquarters;
- Administrative, logistical or security issues.



Periodic reports allow the central office to follow the activities of each field office, provide guidance and other support on key cases and issues, keep abreast of evolving human rights developments in the country, and plan and develop advocacy and intervention strategies to address them (see also chapter on *Advocacy and intervention with the national authorities*

2 Reporting to the head of mission

When a human rights field presence is integrated in a United Nations peace operation or special political mission, the head of the human rights component has a dual reporting line. S/he reports to the head of mission either directly or through her/his deputy, in addition to reporting to the High Commissioner for Human Rights. S/he submits regular internal reports on the human rights situation and the activities of the component to the head of mission. The human rights component also contributes to several reporting requirements of the mission, such as **integrated daily and weekly situation reports, flash reports, and code cables to headquarters**. In all these reports, confidentiality needs to be respected as well.

HROs tasked to prepare such input have to ensure that human rights information and its related analysis complement the political and security analysis undertaken by the other components. Where available, HROs should provide analytical information that serves as early warning of possible violations, resurgence of conflicts or other detrimental developments for rights holders, as well as human rights developments that have implications for peace processes and the implementation of the mission's mandate. Specific guidelines for such reports are issued by the Department of Peacekeeping Operations (DPKO) and the Department of Political Affairs (DPA), respectively.

3 Reporting to OHCHR headquarters

As the representative of the High Commissioner for Human Rights in the country of operation, the head of a human rights field presence is responsible for reporting to OHCHR in Geneva, even if the field presence is an integrated component of a United Nations political mission or peace operation.

It is the responsibility of the head of the field presence to ensure that reports to OHCHR headquarters are **succinct, analytical and of a high quality**. These reports should cover the entire country and the overall work of the field presence, rather than a specific area or region (unless the field presence has a more limited geographic mandate). For this reason, these reports are normally produced by HROs at the central office.

Reports to headquarters may have different periodicities, depending on the nature of the human rights situation and the specificities of the field presence. However, OHCHR has established a **monthly reporting obligation** for all its field presences, regulated by an internal standard operating procedure.



Monthly reports are intended to inform headquarters of key political, security and human rights developments, with analyses of significant human rights problems and possible recommendations for follow-up action. They constitute an **accountability mechanism** and an **internal communication tool** by which field presences:

- (a) Assess their progress in, and identify obstacles to, achieving the objectives set out in their respective workplans and country/regional notes; and
- (b) Draw attention to any significant political, security or administrative issues affecting the human rights situation that may need consideration and follow-up.

Monthly reports to OHCHR headquarters should contain:

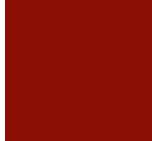
- *Context and key developments, by thematic priority;*
- *Highlights*, covering substantive human rights issues and changes in the country situation or significant progress towards the desired results;
- *Monitoring of the implementation of the workplan;*
- *Other activities;*
- *Management, safety and administrative concerns*, including requests and recommendations for the attention of and action by headquarters.

More frequent reports are sometimes required to supplement the information contained in monthly reports. **Daily and weekly reports** are submitted normally during the first months of a newly established field presence and **during rapidly evolving situations** requiring a more regular exchange of information. The purpose of such reporting is to keep headquarters informed of urgent issues; of key political, security and human rights developments of relevance to OHCHR; and of other significant security, administrative or other issues that require the immediate attention of headquarters.

Weekly reports to OHCHR headquarters should contain:

- *An executive summary* (overview of substantive human rights issues and significant activities of the field presence in the context of its annual workplan);
- *Significant political, social and security developments* that impact on the protection of human rights;
- *Human rights issues arising from the field presence's mandate;*
- *Human rights activities* of the field presence;
- *Administrative or staff security issues* related to the field presence;
- *Requests and recommendations* for action by headquarters.

When appropriate, the head of the field presence may share internal reports to headquarters, or parts thereof, with selected actors in the field (e.g., United Nations country team) on a need-to-know basis. S/he will have to ensure that the principles of confidentiality and informed consent are fully respected, and will have to inform headquarters that the report is being shared.



F. Public reports

1 Reporting to United Nations bodies

Human rights field presences are often mandated to report on human rights developments and on their activities to other bodies of the United Nations system, such as the **Security Council**, the **General Assembly** or the **Human Rights Council**. These reports are generally annual (but more frequent reports may be required) and are submitted by the Secretary-General or by the High Commissioner for Human Rights. The central office of the field presence usually prepares such reports or input in consultation with OHCHR headquarters.

(a) Periodic reports to the General Assembly and the Human Rights Council

A number of human rights field presences (particularly OHCHR country offices) produce an annual report of the High Commissioner for Human Rights or of the Secretary-General to the Human Rights Council or to the General Assembly on the local human rights situation.



Cambodia

OHCHR-Cambodia produces a yearly report of the Secretary-General on *the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights*, which is submitted to the Human Rights Council.

The main purpose of such annual reports is to provide an **analytical overview of the human rights situation** in the country covered by the field presence (or a specific theme) and an **assessment of the State's respect for international human rights standards and obligations**. They serve primarily to engage the Government and any relevant non-State actors in a dialogue to formulate strategies to address protection gaps.

Annual reports to the Human Rights Council and the General Assembly usually contain:

- An executive summary;
- Introduction;
- Political and security context with an impact on the protection of human rights;
- Human rights situation, including the most important human rights trends and developments, both positive and negative, and highlighting, as a minimum, the most acute, widespread and/or urgent issues;
- Measures taken by the Government and other stakeholders nationally and locally;
- Activities of the field presence to address the human rights issues described above;
- Conclusions and recommendations, including the main findings;
- Annexes.



(b) Periodic reports to the Security Council

Human rights field presences contribute to different types of reports of the Secretary-General to the Security Council.

The most common are:

(i) Secretary-General's reports on peacekeeping operations or special political missions

The Secretary-General's reports on **peacekeeping operations or political missions** are usually quarterly and are used to inform the Security Council on the situation in a country/region in which a peace operation or political mission is deployed and on progress made towards the implementation of its mandate.

In such cases, the human rights field presence is responsible for drafting the section on human rights developments and provides input to other sections related to human rights protection (e.g., protection of civilians). Specific instructions are normally issued by DPKO and DPA headquarters for the drafting of such reports.

(ii) Secretary-General's reports on children and armed conflict

Security Council resolutions 1612 (2005) and 1882 (2009) provide for the establishment of a **monitoring and reporting mechanism** (known as "MRM") **on children in armed conflict** to gather accurate and reliable information on grave violations against children and to list the names of armed forces or armed groups that recruit or use children, kill or maim children, and rape or commit other sexual violence against children (see also chapter on *Monitoring and protecting the human rights of children* .

Within this framework, human rights field presences contribute, via dedicated country-level task forces, to the global annual report of the Secretary-General on children and armed conflict and other related reports by providing reliable information on **six grave violations against children's rights** by all parties to an armed conflict, namely:

- Killing or maiming of children;
- Recruitment or use of children;
- Attacks on schools or hospitals;
- Rape or other forms of sexual violence against children;
- Abduction of children; and
- Denial of humanitarian access for children.

(iii) Secretary-General's report on conflict-related sexual violence

The Security Council, in its resolution 1960 (2010), called for the establishment of **monitoring, analysis and reporting arrangements** (known as "MARA") **on conflict-related sexual violence** in mission settings and for information on parties to armed conflict that are credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence (see also chapter on *Monitoring and protecting the human rights of women* .



Conflict-related sexual violence refers to incidents or patterns of sexual violence that occur in conflict and post-conflict settings or other situations of concern (e.g., political strife) and have a direct or indirect nexus with the conflict or political strife, i.e., a temporal, geographical and/or causal link. The link with the conflict may be evident given the profile and motivations of the perpetrator(s), the profile of the victim(s), the climate of impunity and weakened State capacity, the cross-border dimensions of the conflict, the international character of the suspected crimes committed (which, depending on the circumstances, can constitute war crimes, crimes against humanity, acts of torture or genocide) and/or the violation of a ceasefire agreement.

Human rights field presences play a central role in providing information on human rights violations of a sexual nature that feeds into the annual report of the Secretary-General on conflict-related sexual violence, in particular information on:

- Rape;
- Sexual slavery;
- Forced prostitution;
- Forced pregnancy;
- Enforced sterilization; and
- Other forms of sexual violence of comparable gravity perpetrated against women, men, girls or boys that have a direct or indirect link to a conflict.



Reporting on children in armed conflict and on conflict-related sexual violence

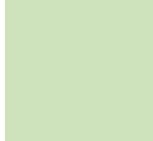
When reporting in the framework of the monitoring and reporting mechanism on children in armed conflict and the monitoring, analysis and reporting arrangements on conflict-related sexual violence, HROs should:

- Report cases related to the specific violations identified by each mechanism;
- Describe the circumstances in which such violations were committed;
- Illustrate trends and patterns of violations with examples of specific incidents;
- Identify the alleged perpetrator groups, their motivations and who has command responsibility;
- Identify the victims and the reasons that may have led to their being targeted;
- Support analysis with examples of incidents;
- Provide data disaggregated by sex, age, ethnicity, geographical area and other factors as relevant to the specific country context;
- Make recommendations to effectively address the violations.

2 Reporting to other United Nations mechanisms⁵

Human rights field presences may provide information to other United Nations human rights mechanisms, including **country and thematic special procedures mandate holders**. In some instances, a formal link may have been established between a country rapporteur and the field presence which has the task to provide support to the rapporteur in information gathering, monitoring and reporting. In these cases, corroborated information and reports should be systematically transmitted to that mandate holder.

⁵ See chapter on Addressing the human rights situation through United Nations mechanisms.



In the absence of such a direct relationship with a mandate holder, the field presence should be aware of the fact that the information it gathers and its reports may be used by mandate holders to take action on specific cases or to inform their own public reporting. Complementary action by special procedures and the field presence can be usefully developed to address specific human rights problems. The possible impact on the protection of human rights in the country should be the primary consideration in deciding how and in which cases such action should be taken. Specific arrangements for the transmission of reports and information to relevant human rights mechanisms should be made for each field presence. Generally, periodic reports from the field presence should be made available to relevant country and thematic special procedures through OHCHR.

Human rights field presences also contribute, every four years and a half, to the Human Rights Council's **universal periodic review**, by providing input to the compilation of United Nations information on the human rights situation in their country of operation, when the State is under review. They can also provide country-specific information on alleged violations to **human rights treaty bodies**.

3 Reporting to the public at large⁶

It is standard practice for human rights field presences to produce reports that are released to the public at large, including through the media. **Regular public reporting** is one of the essential functions of human rights monitoring, as it constitutes an important means of recording and analysing trends and developments in the human rights situation over time as well as of advocating action to end, prevent or remedy violations. A generic template for public reports is annexed to this chapter.

Public reports are a **key protection, promotion and advocacy tool** through which a field presence may:

- Identify, inform or alert national stakeholders and the international community to the human rights situation in the country of operation, to a development or to an event of concern;
- Present an impartial analysis of the progress by the authorities in fulfilling their human rights obligations and of the role of other duty bearers in protecting human rights;
- Document alleged violations and situations of concern as a step towards strengthening accountability;
- Outline recommendations to assist the authorities and other duty bearers to develop effective responses to specific human rights problems with a view to improving the human rights situation;
- Present concrete illustrations of its own contributions to improving the human rights situation and of its progress in implementing its mandate.

Public reports normally fall within the following three categories:

- (a) **Periodic reports on the human rights situation** aim at providing an analytical overview of the human rights situation in the country and an assessment of the degree to which the authorities and/or relevant non-State actors respect their human rights obligations. They normally cover the human rights issues that are the most relevant to the country. Such reports serve, *inter alia*, to inform national stakeholders and the international community of an ongoing human rights situation, to engage the authorities in a dialogue, and to formulate coherent and consistent national or international strategies to address the situation.

⁶ OHCHR has adopted specific guidelines on public reporting. Public reporting by OHCHR country offices is governed by a standard operating procedure, while public reporting by integrated human rights components is regulated by a joint OHCHR/DPKO/DPA internal policy. Both sets of guidelines were adopted in 2008 and outline the purpose, periodicity, content, format, clearance and release procedures for public human rights reports.



- (b) **Thematic reports** provide an opportunity for field presences to publish in-depth analysis of a particular human rights issue or problem deemed deserving of special attention and action, and that cannot be explored in detail in a periodic report. For instance, such reports could cover human rights problems that are underreported or receiving less attention from the authorities and/or the international community. They may relate to a widespread or significant human rights phenomenon or an emerging trend that has an adverse impact on the enjoyment of certain rights (e.g., sexual and gender-based violence, freedom of expression, conditions of detention) or that affects a particular category of persons (e.g., minorities, human rights defenders, persons with disabilities), or it may concern the human rights performance of specific State institutions. Issues may also be selected on the basis of the potential early warning role of such reports (e.g., pattern of discrimination against certain categories of persons, trend of repression of civil and political rights). Thematic reports are an effective way of engaging with the State and other national counterparts in a dialogue to formulate coherent actions to address a particular human rights problem (e.g., legislative reform), and can serve as platforms for advocacy, capacity-building and other activities.
- (c) **Investigation reports** serve to draw public attention to specific human rights incidents or particularly alarming events or situations that deserve urgent action by the Government or by others. Investigation reports should bring to light the findings of relevant monitoring or investigation activities conducted by the field presence in response to a human rights incident or problem, and seek potential remedies. When preparing an investigation report, HROs should ensure that it is founded on corroborated information, resulting from a thorough investigation based on sound methodology (e.g., using a wide range of sources, and wherever possible through on-site visits). The reports should be factual, analytical, detailed and well documented. In more complex investigations involving several HROs, someone should take responsibility for coordinating the drafting while the investigation is ongoing so as to define a structure and preliminary outline early on and ensure coherence and consistency in language and tone. It is also good practice to agree at an early stage who will be responsible for drafting different sections of the report; how the drafting will be coordinated, including by collating the different sections; and how the final report will be reviewed and adopted.



Democratic Republic of the Congo

Since 2006, the United Nations Joint Human Rights Office of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and its predecessor have released several public reports. These include periodic reports on the human rights situation in the Democratic Republic of the Congo; thematic reports (e.g., on deaths in detention centres, on human rights violations committed during the pre-electoral period as well as in the context of the presidential and legislative elections of 2011), and investigation reports (e.g., on mass rapes or other serious human rights violations in specific areas of the country, or on extrajudicial executions and enforced disappearances committed during police operations in the capital).

The **frequency** of public reports should be part of a public reporting strategy and will depend on the country's overall human rights situation as well as the reporting requirements of the field presence and its capacity to monitor and report. Generally, periodic reports should be released at least once a year and investigation reports should be issued whenever the field presence assesses that the situation warrants it.



Before preparing and releasing a public report, the head of the field presence should consider the objectives to be achieved, the timeliness of the report and its **potential impact on the human rights situations and the work of the field presence**. A public report can contribute to greater credibility and enhanced cooperation with and trust by civil society and government actors. It can also provoke an adverse reaction from the latter aiming at jeopardizing the work of the field presence, for example by restricting access to certain areas or by declaring HROs *personae non gratae*.

It is important for senior managers to plan the issuance of reports carefully and to seek to anticipate reactions. It is common practice for field presences to **share an advance copy with the Government** (or de facto authority) for information, inviting it to submit factual comments within a reasonable time frame (normally between one and two weeks), on the understanding that comments will be taken into account as appropriate. Field presences should consider measures to prevent reports from being leaked ahead of their release and possible actions should this nevertheless happen (for example, bringing forward the date of a report's public release).

Human rights field presences should incorporate any relevant factual amendments and information provided by the Government. Divergent views may nevertheless remain. It is common practice, in these cases, for field presences to annex the Government's comments to the report.

If releasing a public report may affect the relationship between the field presence and the host State, the head of the human rights field presence should consult headquarters and other senior United Nations official as relevant (e.g., head of mission in a peace operation).

Upon final clearance by headquarters (and other entities for joint reports), the field presence should release the report immediately. It is good practice to share a copy of the final report with the Government before its public release. Often, heads of field presences decide to release public reports during a **press conference** supported by a press statement of the High Commissioner for Human Rights. When releasing a report, they should carefully consider the timing and whether it coincides with an event that could widen or reduce its media coverage.

Whenever a field presence decides to make a statement to the media, it should follow the appropriate channels and involve United Nations public information offices or communications sections at the field level and at headquarters. The **press statement** should include a summary of the issue (periodic or thematic report) or of the facts (investigation report) as well as two or three critical recommendations. The report should also be posted on relevant intranets and United Nations public websites as soon as it is released (see chapter on *Working with the media*

To increase the dissemination and impact of the report, the field presence should consider **translation** into local languages and ensure that the translations are available in time for the official release.



G. Confidential reports to the Government

In some instances, human rights field presences produce confidential reports, addressed to the Government of the country of operation or specific government institutions, that are neither internal to the field presence nor for public dissemination. Senior managers may decide to prepare specific reports or to confidentially share reports on the human rights situation with the authorities, as a means of working with them to produce adequate responses to human rights violations or improve their capacity to protect human rights. These reports are in addition to the public reporting undertaken by the field presence (see also chapter on *Advocacy and intervention with the national authorities* ).



Democratic Republic of the Congo

The United Nations Joint Human Rights Office of MONUSCO produces confidential monthly reports on human rights violations committed by the Congolese National Police and the Armed Forces of the Democratic Republic of the Congo, and shares them with the relevant authorities to bring these violations to their attention and request measures to address them.



Haiti

The human rights component of the United Nations Stabilization Mission in Haiti regularly shares confidential reports regarding alleged involvement of police officers in human rights violations with the General Inspectorate of the Haitian National Police to ensure proper investigation and follow-up.



Annex: Template for public periodic, thematic or investigation reports (To be adapted to the specific needs of each field presence)

i. Executive summary

- One page outlining the aim of the report, the main issues/facts and the key findings
- Summary of the most important recommendations

ii. Introduction

- Aim/objective of the report

iii. Methodology

- Methodology used for gathering and independently corroborating information which served as a basis for the analysis, and standard of proof
- Protection concerns with regard to sources of information, if any

iv. Context/background

- Brief overview of significant political, economic, social, cultural and security developments that have an impact on the protection of human rights

v. Legal framework

- Brief overview of the international legal framework applicable to the issue under review (international human rights law and international humanitarian law, as relevant)
- Critical overview of the national legal and policy framework applicable to the issue

vi. Analysis

- Overview and analysis of the human rights situation, theme or incident(s) based on the information gathered, including non-confidential information on victims and alleged perpetrators where available
- Legal analysis of the facts to establish violations, in the light of the norms contained in the legal framework
- Overview of the main finding, relevant trends and patterns of violations and analysis of responsibilities

vii. Measures taken by the Government and other stakeholders

- Whenever possible, outline positive steps taken by the Government at national and local levels, as well as other stakeholders (e.g., non-State actors) to address the human rights problems raised in the previous section



viii. Activities of the human rights field presence (if applicable)

- Brief overview of the activities undertaken by the field presence to address the issue of concern and to assess its impact on the evolution of the situation

ix. Conclusions and recommendations

- Brief outline of the major findings and conclusions, highlighting the way forward
- List of recommendations, structured according to the addressees and reflecting issues raised in the body of the report

x. Annexes (if applicable)

- Depending on the type of report, annexes may contain: photos, graphs and tables with statistical data, maps, sketches of incident sites, list of acronyms, chronology of events, list of international human rights instruments ratified by the country, etc.



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MANUAL ON human rights MONITORING

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

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

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

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



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