

BASIC PRINCIPLES OF HUMAN RIGHTS DOCUMENTATION AND REPORTING

WHAT ARE HUMAN RIGHTS?

- “**Human rights** are **rights** inherent to all **human** beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our **human rights** without discrimination. These **rights** are all interrelated, interdependent and indivisible.” – UN
- In all international human rights standards, there is a strong emphasis on non-discrimination.
- Human rights are interrelated, interdependent, and indivisible. For example if someone has to perform forced labour for the military, this is in violation of his right not to arbitrarily be deprived of his liberty, and possibly his right to a livelihood (because he no longer has enough time to work on his fields, and because he is not paid by the military). These rights are related to one another.
- There is no “hierarchy of rights”. One right is not more important than the other. Traditionally, Western countries have emphasized civil and political rights. And developing countries have sometimes emphasized economic, social and cultural rights over civil and political rights (the “3 Freedoms” - of expression, peaceful assembly, and association).

TELLING THE STORY

- Human rights reporting should tell a story – a story of an individual, a community, or an ethnic group. By telling the story we help the reader to understand the situation and give him a sense of what actually happened.
- Human rights reporting starts with individual cases. You need to document each case individually, whether it is an arrest, a forced eviction, an incident of forced labour.
- So you need to tell a story in each case. Then you can build to a general statement, if you have enough information.
- General statements are not useful if they are not backed up by individual stories. “There were many forced evictions in Yangon and Mandalay in the early 1990s” is not enough information and needs individual cases and groups of cases.
- There are different ways to tell a story – but it is important to construct a narrative in order to answer questions the reader might have.
- Stories normally have a beginning, middle and end. If you don’t have all the facts, you should say so. For example if you don’t know where a prisoner is held, you should say so. Don’t leave the reader asking questions about what happened if you can avoid it.

WHAT IS THE PURPOSE OF DOCUMENTATION?

- Is it to write and publish a report? To write a news article? To give a speech? To make a submission to the UN?
- Who is your audience? The Myanmar Government? Myanmar Civil Society? The International Community? All three?
- What the documentation is used for, and who your audience is, will determine the style, the length, and the level of detail of your report.
- For example a news article will be much shorter, and you will not have the space to give too many details, but you should give enough so that the story is credible.
- In a full report or UN Submission, you will need to talk in more details about laws.

THE IMPORTANCE OF ACCURACY AND DETAILS

- Accuracy of information is the single most important factor in human rights documentation.
- Whether you are quoting a law, citing a testimony of a victim, or reporting something already in the media, it is crucial to check your facts and to present them accurately.
- When gathering information, particularly during interviews, collect as many details as you can.
- When you document and report human rights abuses, you are building a case. You might want to show how land grabs have been a particular problem in a certain township. To build a case, you need many examples and lots of details, to be credible.
- When documenting human rights abuses, imagine that you will be presenting your findings to the Myanmar Government. They will ask many questions, and will want many details.

THE IMPORTANCE OF SOURCES

- In documenting human rights abuses, it is important to use as many credible sources as possible.
- These can include: laws; official statements by the government; testimonies from victims, witnesses, and lawyers; and credible press reports.
- You need to evaluate the accuracy of the sources before you use them.
- Always try to get as close to the source as possible. If you are documenting land grabs, interview the victims, the witnesses and the local authorities if possible. In other words, get as close as you can to the actual abuse. Second-hand reports are less credible.
- “Consider the source” – this means you need to judge if the source is credible or not. Do you believe the person is telling the truth? Does this particular newspaper have a good record for accuracy? Is the source exaggerating? Does the source really have concrete information or are they just repeating something vague they have heard about?
- “There were lots of arrests during that time” is not helpful. It is much more useful to be able to say: “30 people were arrested by the local police in x township during the month of May 2014.”
- This is why you need to gather as many details as possible. So instead of reporting “the community said the authorities seized their land”, you need to report all the details.
- Also, it is important when reporting to cite the original source. If you are talking about a law, read the text of the law itself, and use that, rather than only a press report.

CROSS CHECKING INFORMATION

- If possible, check information against more than one source. There are almost always several sides to the story.
- If you are documenting a particular incident, you should cross check your information by asking the same questions to different people, or different groups of people.
- For example, if you are documenting a land grab, you should talk to the members of the affected community, local community leaders and groups, the local authorities (if possible), and the people/company who now occupy the land.
- Then you can compare the information from different sources. It is not always possible to determine exactly what happened, but it is important to attempt to do so.
- You can report different versions of the story, if you believe that they are credible.

IMPARTIALITY

- It is crucial to keep an open mind and not to have pre-conceived ideas when you document and report on human rights issues.
- That is why it is so important to get as many sides to the story as you can, and then cross-check the information.
- Documenting and reporting in an impartial fashion will increase your credibility with different parties – the government, a company, local civil society, the international community.
- It is important to use neutral language when reporting – “The farmer told us that the authorities took his farmland and did not provide adequate compensation” vs “The authorities treated the farmer terribly”.
- While it may be true that the authorities treated the farmer poorly, it is best to report the facts as you understand them, and let the reader draw his own conclusions.

QUALITATIVE VS QUANTITATIVE INFORMATION/DOCUMENTATION

- Most human rights documentation and reporting uses qualitative information.
- The main example of qualitative information is an individual case, whether of an arrest, a forced eviction, or a case of labour exploitation.
- Individual cases, if sufficient in number, are sometimes used to suggest a pattern of human rights violations. Again, human rights documentation starts with the individual, and builds to the general.
-
- An example: The ILO found that the practice in Myanmar of forced labour during the 1990s was widespread and systematic. But they only came to this conclusion after extensive research and a very long report on their findings.
- Quantitative information is presented in terms of numbers, percentages, rankings.
- Example of quantitative information: “About 70% of the population in Myanmar lives in malaria-endemic areas.”
- Another example: “The 2013 UN Human Development Index ranked Myanmar at 149 out of 187 countries surveyed, putting it in the ‘low human development category,’ with a 65.7 year life expectancy and 3.9 mean years of schooling.”