

## Chapter 6. Documentation: Writing the Report



### A. Drawing Conclusions

Analyzing monitoring data and reaching conclusions is perhaps one of the most challenging and important stages of a monitoring and documentation project. It requires the advocate to examine what could be voluminous amounts of information and determine what those findings mean. Drawing conclusions is a process of synthesizing information, identifying patterns, themes, relationships, and causes. It requires continual verification, and advocates should be able to identify information that fits or contradicts the pattern as it emerges.<sup>193</sup>

Documenting human rights violations requires advocates to evaluate the relationships that exist between data to identify and verify the themes.<sup>194</sup> Ultimately, advocates documenting human rights violations should evaluate the data that has been gathered, identify gaps or limitations in the information, compare the findings, and present them in a final report of some kind.<sup>195</sup> Advocates should remain flexible and revisit the data frequently. They should also expect that they may need to organize and reorganize the draft report more than once to develop the most effective delivery of the findings.

The following steps are meant to serve as a basic guide for advocates to follow as they seek to draw those conclusions. They may find all or some of these steps helpful, and they should adapt these steps as necessary to fit the context of their own project. Even with these steps, however, advocates should remember to trust their instincts. Advocates may have an initial impression, or instinct, about a conclusion. This intuition is extremely

<sup>193</sup> Matthew B. Miles and A. Michael Huberman, *Qualitative Data Analysis* (Newbury Park, CA: SAGE Publications, Inc., 1984), 22, 216.

<sup>194</sup> *Ibid.*, 224–26.

<sup>195</sup> *Ibid.*, 79.

valuable, particularly from those people most involved in the monitoring project. It requires other checks to verify and support the conclusion, but advocates should incorporate their intuition and judgment into the process.<sup>196</sup>

### Step 1. List Possible Themes Emerging from the Findings.

Making an initial list of themes helps with the organization and analysis of large amounts of information. This process<sup>197</sup> is the first step for advocates to begin identifying patterns and issues in the findings. Examples of themes include:

- Systems responders: Who are all the possible players, such as police, judges, health care providers, immigration officials, child protection agencies, or private business owners?
- Victim population: Who are the groups of people affected by the human rights violations?
- Human rights violations: What kinds of human rights violations were committed? How frequently?
- Major events in the timeline.
- Location: This can be as specific as a venue, such as housing, schools, airports, or as broad as a geographical boundary, such as neighborhoods and cities.
- Causes of the violation.
- Effects of the violation.

Advocates should be aware of underlying factors that reinforce, link, or undermine the theme. Advocates may identify several causes, but find different levels of connection between some causes and effects. For example, in the case of girls who are victims of sex trafficking, advocates may find that direct causes include poverty, gender-based violence, chemical abuse, gang involvement, lack of education, mental health issues, sexual orientation, language barriers, and age.<sup>198</sup> In addition, they may discover other facts such as time limitations on the availability of transitional housing. Because of this restriction, many of the girls are pulled back into trafficking networks when their transitional housing expires. The short duration of transitional housing is an example of an intervening variable: it is not necessarily the direct cause of the sex trafficking, but it aggravates the situation by sending the girls back to the streets.

Advocates should be open to changing this list of possible themes as they work through their findings. Advocates may find that themes initially identified lack substantiation and should be eliminated from the list. Similarly, as findings are analyzed, new themes may emerge. Advocates may discover that a particular theme actually consists of sub-categories and may want to split the theme into smaller, more specific themes.<sup>199</sup> For example, advocates may find that married and unmarried women have very different experiences of sexual harassment. In this case, it may make sense to split the theme of women into two subsets of married and unmarried women.

### Step 2. Read and Re-read the Data and Information.

The data gathered during human rights monitoring dictates the documentation process and the ultimate form of the written report. Human rights documentation, therefore, requires complete familiarity with the data gathered. When used in tandem, the techniques of data immersion and of data coding help marshal large amounts of data and ensure that the information gathered is exhaustively considered.

<sup>196</sup> Ibid., 216–17.

<sup>197</sup> Ibid., 216.

<sup>198</sup> The Advocates for Human Rights, *Sex Trafficking Needs Assessment for the State of Minnesota* (Minneapolis: The Advocates for Human Rights, 2nd ed. 2008), 21–22.

<sup>199</sup> Miles and Huberman, *Qualitative Data Analysis*, *supra* note 193, at 222.

### i. Data Immersion

The advocate should read and re-read the information gathered, such as interview notes and documents.<sup>200</sup> This process is known as data immersion and is a crucial step to gain familiarity with the information.

When reading through the data, advocates should look for patterns that reflect critical issues, exceptions to patterns, and extremes in either direction. They should look at connections, such as the relationships between events, victims, perpetrators, the information source, and the response.<sup>201</sup> They can also read for relationships, analyzing whether violations tend to occur in a certain location or point in time.



Advocates may find it helpful to read through documents reviewing one theme at a time. For example, an advocate monitoring the right to education may read through interview notes a first time looking for student experiences, a second time for parental involvement, a third time for teacher roles, and so on. Multiple readers should be involved, as one reader may recognize what another has missed.

Where there is a great deal of information, data immersion can sometimes result in the initial documents receiving the highest degree of scrutiny and the latter documents the least. To avoid such bias, advocates should consider reading through findings in a different or random order each time.

Human rights documentation often involves difficult subject matter. While data immersion is a necessary step in the documentation process, advocates should recognize and take steps to minimize potential vicarious or secondary trauma that can result from exposure to traumatic stories and can interfere with the reader's ability to objectively analyze the data.

### ii. Data Coding

Clustering or sorting information into categories helps advocates systematically review the data and draw conclusions. Clustering violations, events, acts, processes, actors, and settings allows advocates to view subsets of data based on similar attributes.<sup>202</sup> Data coding can assist advocates in reviewing and analyzing large amounts of data. Data coding need not be elaborate or high-tech. Advocates essentially label pieces of information with codes that correspond to different themes, patterns, or relationships<sup>203</sup> allowing them to analyze the information.

Advocates first must identify and make a code list of the themes, patterns, and relationships they are seeking. Next, the advocate tags text within the data with the applicable codes. Advocates can simply write the codes directly on the hard copies to be later pulled out into individually coded documents, or if the documents are in

<sup>200</sup> Mary Ellsberg and Lori Heise, *Researching Violence Against Women: A Practical Guide For Researchers and Activists*, (Geneva: World Health Organization and Program for Appropriate Technology in Health (PATH), 2005), 204. Also available online at [http://www.path.org/publications/files/GBV\\_rvaw\\_complete.pdf](http://www.path.org/publications/files/GBV_rvaw_complete.pdf).

<sup>201</sup> Manuel Guzman, *Getting the Facts Down: Documenting Human Rights Violations* (Bangkok: Asia Forum for Human Rights and Development (FORUM-ASIA), 1997), 20–22.

<sup>202</sup> Miles and Huberman, *Qualitative Data Analysis*, *supra* note 193, at 218–21.

<sup>203</sup> Ellsberg and Heise, *Researching Violence Against Women*, *supra* note 200, at 204.

electronic form, word searches for key terms can facilitate the data coding process.<sup>204</sup> As discussed in the section on interview protocol, controlled vocabulary is essential if relying on electronic key word searches.

Once the text is coded, information may be handled using a variety of tools from the simple to the elaborate. Advocates can copy and paste text into word processing documents sectioned by code themes. They can use a spreadsheet program to create row and column headings for each code, corresponding text, sources, and notes. Coding software programs exist, including a number of free, available programs.<sup>205</sup> Using computer-based software requires an initial investment of labor and time to create and enter the data and may be best used for large scale monitoring projects.<sup>206</sup> Where access to electronic software is limited, the author can also cut and paste or handwrite each of the texts onto individual coded cards, a more labor-intensive process but still workable. In all cases, authors should ensure that a citation (coded or not) is included so the original source is known.

### Step 3. Data Analysis.

Documentation of human rights violations requires analysis of information and the identification of patterns and relationships. Human rights documentation goes beyond the numbers and may find significance in rare events that reveal a failure to protect or fulfill human rights standards.

Simple counting of types of data can help identify patterns and trends in qualitative information. Counting reduces qualitative data to numbers, helping advocates to identify findings or themes with higher or lower frequency. It provides a quick synopsis of what is contained in massive amounts of information, can corroborate an idea, and can safeguard against unintended bias.<sup>207</sup>

Factoring, or the compression of a larger set of data into a smaller set of descriptive, unobserved variables, may also be helpful in revealing relationships and patterns. Factoring condenses mass amounts of information into fewer themes. Advocates take a set of information or variables and list short descriptive factors for each one until they find the factor(s) common to everything in that set. The advocate applies this approach to each set of information or variables to determine the common factors for each set. By comparing the different factors across information sets, advocates can illuminate contrasts between those factors and ask if those factors make a difference.<sup>208</sup>



<sup>204</sup> Ibid.

<sup>205</sup> Ibid., 209; Umeå University Department of Public Health and Clinical Medicine, "Open Code 4.01," <http://www.phmed.umu.se/english/divisions/epidemiology/research/open-code/>; Centers for Disease Control and Prevention, "Software," <http://www.cdc.gov/hiv/topics/surveillance/resources/software/ez-text/index.htm>; Centers for Disease Control and Prevention, "ANSWR," <http://www.cdc.gov/hiv/topics/surveillance/resources/software/answr/index.htm> (noting that free open coding programs Open Code, CDC EZ Text, and ANSWR are available).

<sup>206</sup> Ellsberg and Heise, *Researching Violence Against Women*, *supra* note 200, at 209.

<sup>207</sup> Miles and Huberman, *Qualitative Data Analysis*, *supra* note 193, at 215.

<sup>208</sup> Ibid., 223–24.



Depending on the type of data gathered, data displays (such as graphs, flow charts, or diagrams) may help advocates examine and understand the data and the relationships.<sup>209</sup>

#### Step 4. Breaking the Findings Down to the Conceptual Level.

Once data have been analyzed, the advocate can begin to draw conclusions. This process, known as data reduction, boils down raw data to the overarching concepts<sup>210</sup> as a way of drawing conclusions.<sup>211</sup> Another way to think of data reduction is as a process that allows the advocate “to see the forest for the trees.”

Advocates can draw connections where there is a pattern of multiple, varied respondents, each suggesting a relationship among the same elements.<sup>212</sup>

#### Step 5. Maximizing Validity and Reliability.

A process of information gathering is *valid* when it reflects the reality of the situation as accurately as possible. A process of information gathering is *reliable* when it generates the same results over and over again. Thus, processes may be reliable but invalid, and vice versa. Multiple people may make the same observation, but it may still not be true because of a number of factors.

Validity and reliability are greatly enhanced when:

- Monitors are well-trained and follow protocols consistently;
- Multiple methods are used so that data from different sources can be compared—known as triangulation of data;
- The length of the monitoring is sufficient to provide the fact-finder with solid knowledge of the issue;<sup>213</sup>
- Conclusions are reviewed both by experts on the issue and by people who are new to the issue;<sup>214</sup>
- Perceptions and facts are clearly distinguished in the final product; and
- An audit trail is created to ensure that the process can be replicated.<sup>215</sup>

Advocates should establish a uniform mechanism for assessing the validity of interview information through corroboration processes with independent sources.<sup>216</sup> Advocates can corroborate information from respondents with other interviews or secondary sources before drawing conclusions.

### Centre on Housing Rights and Evictions (COHRE): Writing a Human Rights Report

The Centre on Housing Rights and Evictions (COHRE) is an international human rights organization that works for the protection of housing rights and the prevention of forced evictions around the world. COHRE has produced a number of human rights reports on housing rights around the world using fact-finding through interviews and research. COHRE’s documentation process provides an example of how to analyze research findings to draft a human rights report.



<sup>209</sup> Ellsberg and Heise, *Researching Violence Against Women*, *supra* note 200, at 204, 209–11.

<sup>210</sup> Miles and Huberman, *Qualitative Data Analysis*, *supra* note 193, at 21; Ellsberg and Heise, *Researching Violence Against Women*, *supra* note 200, at 209.

<sup>211</sup> Miles and Huberman, *Qualitative Data Analysis*, *supra* note 193, at 21.

<sup>212</sup> *Ibid.*, 227–28.

<sup>213</sup> Sharan B. Merriam and Associates, *Qualitative Research in Practice* (San Francisco: Jossey-Bass, 2002), 26.

<sup>214</sup> *Ibid.*

<sup>215</sup> *Ibid.*, 27. An audit trail documents the monitoring methodology, the determination of codes and themes, the analysis of the findings, and the drawing of conclusions. It essentially tracks how and why the advocate uses the collected information.

<sup>216</sup> The Advocates for Human Rights, “Monitoring, Fact-Finding, Reporting” (unpublished powerpoint presentation on file with The Advocates).

After the monitoring stage, COHRE conducts a broad examination of the research findings to identify the most pressing trends and most relevant facts for a human rights report. There are several steps that can facilitate this selection process: knowing the data set very well, thinking through how to present that information in a way that is audience-appropriate, considering what main messages the report should communicate, and knowing what issues should be the lead stories. Another important consideration at this stage is to evaluate how to structure the report. For COHRE, thinking about the report organization and issues and drafting a preliminary table of contents early on, even before the methodology is developed, can help writers in handling their findings. Indeed, as a COHRE staff member acknowledges, organizing the findings in a coherent manner can be one of the biggest challenges in writing a report. It takes practice and experience to apply a human rights framework to findings in their raw form and then reconfigure that data in the new form.

### *Handling conflicting findings*

Advocates may encounter conflicting findings in their research. For example, different groups of interviewees may have each articulated different needs that conflict with each other. When this happens in its research, COHRE closely examines its findings to discover where the disconnect lies. Questions an advocate might ask in this instance are:

- Why are there conflicting findings?
- Is it a fundamental flaw in methodology?
- Are we asking questions in different ways to people and getting different answers?
- Or are these conflicts more indicative of the real differences of people?

COHRE asks where these discrepancies are and delves deeper to see what aspects of different people's experiences impact how they have answered the questions.

### *Drawing conclusions*

Once the main issues from the findings are identified, the next step is to develop conclusions, or a more analytical summary of the main findings. Drawing conclusions requires advocates to identify the trends that were the most dramatic and visible in the results. Conclusions are generally very broad, but wrap up the report, highlight the main themes, and revisit the main messages that the audience should take away from the report.

### *Promoting validity and credibility*

COHRE also takes steps to uphold transparency about its methodology and its limitations as a way of promoting validity and credibility in its reports. To do so, it ensures the methodology discloses details, such as the number of people interviewed, where the interviews took place, what kinds of questions were asked, and other elements. In its report *Women, Slums and Urbanisation*, COHRE explains that it used focus groups and one-on-one interviews with women living in approximately twenty slum areas in six cities. In each of the cities, it named the slum communities visited, described the relevant characteristics of the women interviewed, and noted any limitations in the fact-finding and possible reasons for these limitations. Such transparency about fact-finding methods is particularly important for human rights research aimed at advocacy, because such reports can sometimes create the perception that the research is biased or not reflective of the whole truth. Thus, addressing those issues and

demonstrating the soundness of methods in a report is important to enable readers to understand that the facts were found through tested research.<sup>217</sup>

## B. Developing the Outline

There are numerous ways to structure a report, and authors should consider the possible variations. One place to start is to consider the different sections needed to present the information. A report can contain multiple components, such as:

- Title page
- Copyright information
- Foreword or preface
- Authors and acknowledgements
- Table of contents
- Executive summary
- Methodology
- Introduction
- Findings
- Analysis of findings
- Recommendations
- Conclusion or afterword
- Appendices, such as:
  - Laws and policies
  - List of tables
  - Template forms
  - Glossary
  - Acronyms list
  - Timeline of key events
  - Photos and other evidentiary items
  - Bibliography or reference list
- Index

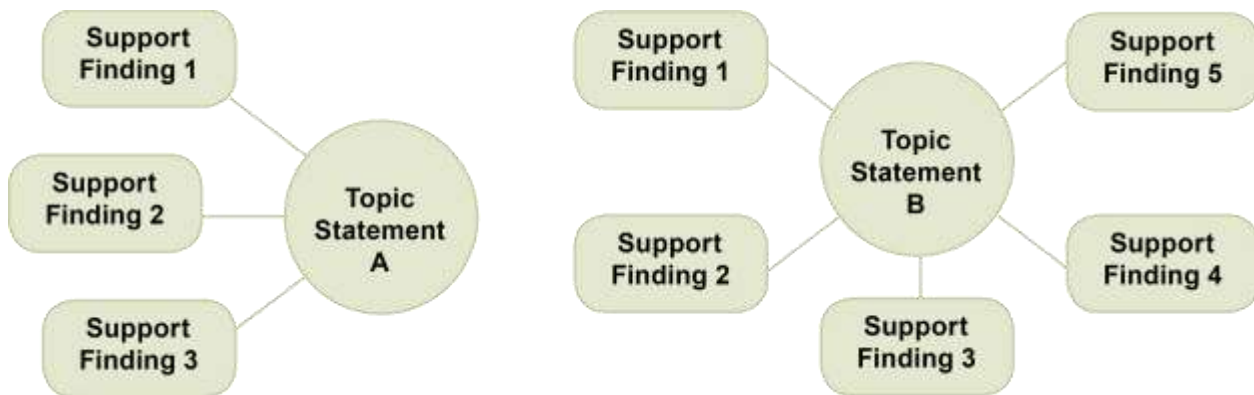
Most of the substantive findings, however, will be found in the main body of the report. Advocates should commit time to planning how best to present the findings and analysis in the publication. On a basic level, authors can structure their report based on their initial research questions. Yet, that structure may not appear immediately logical to an outside reader, nor may it be the most effective way of presenting the information. Indeed, knowing the report's purpose and audience can help advocates choose the right format.

A report may have multiple purposes, and advocates should clearly identify what they want theirs to be. A report can serve to educate readers about a general human rights violation, inform them of the project's findings, make recommendations, and serve as a basis for an advocacy campaign. Knowing the report's purpose(s) will help guide authors in developing its structure.<sup>218</sup>

<sup>217</sup> Interview with COHRE staff person, by The Advocates for Human Rights, Nov. 10, 2010; Women, Slums and Urbanisation, COHRE, 2008.

<sup>218</sup> See Chapter 3(B), Step 1. Determine Your Objectives.

A good starting place in developing the outline is to begin with a rough outline sketch. The rough outline can be developed in a variety of ways. Advocates can draft a rough outline by listing topic statements with the supporting findings. Another tactic is to diagram clusters of ideas:<sup>219</sup>



Once the advocates have a rough sketch of the outline, basic topic statements, and supporting findings, the next step is to create a full outline. As with other stages of the project, authors should remain flexible and recognize that they may need to step back and re-write the outline throughout the report-drafting stage. When advocates have a written draft, it may become clear that the selected outline is not the most effective way of presenting the information, and they should be prepared to shift the report structure to better present their findings.

Knowing who the target audience is will also help inform the structure of the report. Organizing the report chronologically may make the findings clearer for a general audience with less understanding about a human rights framework. If drafting targeted recommendations for different professional bodies, organizing the report by sector allows readers to go directly to their section of the report. Or, where the audience is a body that works within a human rights framework, presenting the information according to each human right aligns with the target audience's objectives and is a more appropriate format.

The following are some possible structures for the main body of a human rights report. They are neither exhaustive nor exclusive, and advocates can combine them to fit the purpose and audience.

#### **i. By Human Rights Issues**

Authors may choose to organize the report by each human rights violation. This approach compartmentalizes the information into each of the various violations. Under this structure, a report that examines a criminal justice system would have separate sections addressing each of the associated rights, such as the right to due process, right to liberty and security of person, and freedom from discrimination.

For readers seeking information on specific abuses, this structure provides a direct pathway to that information. Constructing a report based on human rights violations can be challenging, however, because there may be a great deal of overlap among violations, resulting in redundancy or confusion. Also, presenting one violation after another may lead to reader fatigue.

#### **ii. Chronologically**

Authors may choose to organize the report chronologically. This approach may be appropriate where the project is examining abuses related to an event or series of events. Chronological organization also can facilitate information flow and make it easier for a reader to track the information. Authors may face the challenge,

<sup>219</sup> Diana Hacker, "Sections C1-d," *A Writer's Reference* (Bedford/St. Martins: New York, 4th ed. 1999), 6, 10–11.



however, of incorporating human rights violations that did not occur just one time but span the entire timeline repeatedly. They also should consider how to incorporate nuanced factors that lack a distinct place on the timeline, such as economic or political dynamics.

### iii. By Government Actor Response

Organizing the report by government actor response may be an appropriate format where the project is focused on a particular human rights issue, rather than a historical event, and the organization is seeking legal or systems change. Examples of the content of each section are the respective roles and responsibilities of each government actor, response processes, positive actions, and problem areas. For example, a report examining sex trafficking of victims might include chapters that discuss the role and responses by law enforcement, immigration authorities, prosecutors, judges, civil society organizations, social services, child protection, and health professionals.

## C. Writing the Report

### i. Audience

Authors should be aware of their audience. Knowing the audience will help inform authors' decisions regarding what content to include, how best to present it, and to whom to target recommendations. Some basic questions to ask include:

- Who is the audience, and how many potential audiences are there?
- What are the authors' relationships to the audience? How will the content and tone impact these relationships?
- How informed is the audience? Do they have an advanced reading and vocabulary level? Are they experts in the field and familiar with jargon? Aiming for an eighth grade reading level is a good standard when the audience is broad or the general public. Some word processing software includes tools to gauge the reading level of the document.
- What does the audience need to know from the report?
- How receptive will the audience be to the information? How much time is the audience prepared to invest in reading the publication?
- What information does the audience most want to know? What information is the most important to communicate to achieve the project mandate?
- What information is new or adds value to the current knowledge in the field?
- What should the audience know or discover about the human rights issue?<sup>220</sup>

### ii. Report Tone, Style, and Credibility

Advocates should carefully analyze how to present their findings. Advocates should consider explaining their methodology for collecting information and making recommendations to readers while respecting confidentiality. This transparency helps assure readers the results are valid, credible, and based on sound fact-finding.

An important consideration is to exercise caution when presenting project findings and avoid reporting them as established facts unless they have been verified as such. Nevertheless, even perceptions without grounding in fact may have value. When interviews reveal an uncorroborated finding, they may not deliver a hard fact but they do expose perceptions or patterns that can be indicative of a truth. The perceptions held by interviewees can be reflective of the fears that stem from broader human rights abuses. Where the authors find a pattern that is prevalent enough to be included, authors should rephrase to more accurately reflect the finding for what it is: a

<sup>220</sup> Adapted from The Writing Center, University of North Carolina at Chapel Hill, "Audience," <http://www.unc.edu/depts/wcweb/handouts/audience.html>; Hacker, *A Writer's Reference*, *supra* note 219, Section C1-b, 4.

perception, pattern, or a trend. Prefacing findings with “interviewees reported” or “interviews revealed” can help promote accuracy and maintain the report’s integrity. Disclaimers notifying the reader of certain considerations, cite-checking processes, and leaving an audit trail are important measures to promote credibility.

Wording can also influence the report’s tone, which can have a long-reaching impact on the advocacy phase of the project. For example, stating that a government has “failed to comply with its human rights obligations” has the same meaning as stating that a government “is not in compliance with its human rights obligations.” Yet, both statements send a slightly different message. The first phrase conveys a slightly more confrontational and accusatory tone, while the second reflects a more objective stance. Both can have different consequences for working with government officials in the advocacy phase. Organizations should consider these long-term effects on actors and aim for accuracy and objectivity in language.

Language that is accusatory or incendiary can also lessen the credibility of the report. In general, advocates should make a concerted effort to use neutral, objective, non-adversarial language and tone when drafting a report. A report that is not considered objective, or that is considered overtly political, may not be taken seriously because of the perception that the information that it contains is not credible. In some cases, such as reports written for submission to the UN human rights mechanisms, the use of manifestly abusive language may mean that the report is not even considered. A report loses credibility when it includes emotions and subjective opinion, so it is critical to take care in the drafting and editing stages.

### Avoiding Abusive Language and Tone

Word choice can have a big impact on the credibility of a report. For instance, referring to a government action as “evil” is less effective than saying that by taking the action, the government “failed to comply with its human rights obligations.”

The following is an example of a statement that uses a language and tone that could be considered abusive, followed by a version of the same statement written in a neutral, non-adversarial style.

**Before:** “The sole purpose for the United States to maintain Cuba on a unilateral and arbitrary list of ‘State Sponsors of Terrorism’ is to merely justify the blockade policy against Cuba. It is intended also to justify the adoption of new measures to pursue financial and commercial transactions, which are linked to terrorism in order to strangle the Cuban economy. The U.S. Government attempts to keep up with its exercise using a new and slanderous insinuation about the alleged lack of measures present in the Cuban banking system to deal with money laundering and financial transactions linked to terrorism.”

**After:** “The United States does not have evidence that justifies keeping Cuba on a list of ‘State Sponsors of Terrorism.’ By upholding this policy, however, the U.S. Government is able to maintain the blockade policy against Cuba. It also allows the U.S. to defend the adoption of new measures to pursue financial and commercial transactions, which harms the Cuban economy. Additionally, the U.S. government makes the unsubstantiated claim that Cuba presently lacks measures to deal with money laundering and financial transactions linked to terrorism.”

Another important component of credibility is the citation of credible sources. Each factual claim in the report, no matter how minor, should be supported with a footnote that provides a citation for the source of information that is the basis for the claim. Advocates should avoid relying on secondary sources that are incendiary, biased, or unreliable. Advocates should be particularly careful when relying on internet-based sources that are not affiliated with a credible organization or individual.

### iii. Using Stories and Experiences

Using stories and experiences of interviewees can be a powerful tool. It can help illustrate the magnitude of the problem, as well as buttress a conclusion. Authors can present these stories as a narrative or as block quotes. When doing so, however, they should remember to do no harm and ensure that parts of the story have been redacted to protect the source. Particularly when interviewees fear for their safety, authors should avoid using a traditional interview citation, and instead code the interviews for reference purposes.

### iv. Understand Potential Consequences

Human rights reports often have a major impact on the communities involved in the violation. The tone, choice of words and presentation of the information can greatly affect the message and the positive or negative impact on the community. For example, where stereotypes are prevalent, identifying a key feature of the source or victim, such as ethnicity, might reinforce those stereotypes and diminish the effectiveness of the message. For example, in a report on battered immigrant women, The Advocates for Human Rights made a conscious decision to omit information about the ethnicity of the interviewee. The organization omitted this particular identifier because the barriers to safety and accountability in the justice system were consistent across ethnic groups. Identification of the ethnicity or country of origin of the interviewee would possibly reinforce negative myths and distract from the issues being highlighted.

In addition, advocates must consider the impact the report will have on subsequent advocacy efforts. They should keep in mind the possibility that they may be later working with the same people they are currently criticizing, leading to an uncomfortable or challenging work relationship. Advocates should consider the potential damage to relationships in releasing a credible and critical report. Some options for advocates are to evaluate the roles they and other stakeholders can play. If one organization carries out the monitoring and documentation, then another partner organization assumes the advocacy role. Another alternative is to engage a non-local partner organization without any potential community-based conflicts of interest to conduct the monitoring and documentation.

### v. Editing

Advocates should be prepared to revise and rewrite the report as needed. They should build in sufficient time for the drafting but also regard it as an ongoing process of evaluation. Authors should ensure that the report is original work, and any sources used are properly paraphrased and cited. It may be helpful to draw up basic citation guidelines for authors and editors. There are various methods of citation styles, including the Chicago, American Psychological Association (APA), Modern Language Association (MLA), and Bluebook styles, that the organization can use as a reference. Authors will likely need to conduct broad revisions to ensure the report meets the project goals and detailed revisions, such as copy editing. In addition, authors should build in time for expert review.



## D. Drafting Recommendations

When developing recommendations, advocates should use an international human rights framework as the standard for defining the problems and developing proposed solutions. Although advocates will use state and other laws as reference points, human rights standards can provide the overarching framework. Advocates should apply their findings to this framework and evaluate whether the relevant human rights standards are being fulfilled. They should be prepared to recognize two kinds of violations: (1) where the language of the law itself

violates international human rights standards; and (2) where the laws and policies appear to comply with international human rights standards, but in practice, have an impact that violates these standards.

When authors have identified what those problems are, they should evaluate each of the desired outcomes. In other words, what do they want to see happen that would meet the human rights standard?

The next step is to determine the changes necessary to remedy the human rights violation. Does the change require training, funding, victim assistance and protection, offender accountability, or legal reform? Would that measure remedy the problem and help realize the human right? Advocates should also consider whose involvement is required for those measures. Does the change require the involvement of lawmakers, law enforcement, judges, prosecutors, health care providers, media, civil society organizations, state agencies, or private enterprises?

The following are some tips for advocates to keep in mind when drafting recommendations:

- Talk to the affected population. Consult with the affected population or those who work directly with them to get their opinions about what measures will best remedy the situation.<sup>221</sup>
- Identify and highlight the most important changes necessary for the desired outcome. Consider identifying and highlighting priority recommendations, particularly where there are numerous recommendations.
- Provide support for the recommendations. Another effective tactic is to precede each recommendation with the corresponding finding giving rise to the need for change.
- Be creative. Advocates can be creative where appropriate to fit the particular context. Including no-cost recommendations with symbolic value is one way to address situations where money is scarce or the human rights violations no longer require a tangible remedy. For example, recommending that the government issue a formal apology or that the city declare a local holiday or name a street in commemoration of victims are important symbolic gestures.

## E. Review

### i. Substantive Review

Authors should consider having experts review the report, either in its entirety or in sections. Reviewers can include experts in the community who the authors know and trust, or they can include outside experts, such as field advocates, academics, or authors of related works. Authors may also consider using a reviewer without expertise on the subject matter to test the report's coherence for the average reader.

This review phase takes substantial time, as it requires identifying experts who are available, allowing for their substantive review, and incorporating their comments. The time for substantive review will depend on various factors, such as the length of the report, the expert's schedule, the author's schedule, the extent of the expert comments, and amount of additional research required to address them. Authors should allocate sufficient time to this phase of the documentation process and contact the experts well in advance to accommodate their schedules and give them sufficient time to thoroughly review the report.

When the review is finished, organizations should use their best judgment and keep the project mandate in mind when incorporating experts' comments. In some cases, advocates may find it appropriate to disregard their

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<sup>221</sup> Karyn Kaplan, *Human Rights Documentation: A Guide for Organizations of People Who Use Drugs* (New York: Open Society Institute, 2009), 57.

suggestions. They may not always agree with the expert opinion, or it may conflict with the organization's overall position.

## ii. Editorial Review

Authors should incorporate an editorial review of the report before publication. In general, editors can review the report for:

- clarity
- readability
- spelling
- grammar
- punctuation
- parallel structure
- consistent verb tense
- formatting
- consistency between table of contents, heading sections, and page numbers
- general layout concerns.

Authors should inform editors of which style method they are using, such as Chicago or MLA. Authors can consider providing editors with their own guidelines for editing or refer editors to other resources. There are several resources available online, such as <http://www.bartleby.com/141/index.html> and <http://goodtools.net/pages/SUNstyle/copyedit.htm>.

## iii. Roundtable Discussions with Government Officials

Holding a roundtable discussion to present the findings to officials and leaders prior to the formal release of the report can be an important strategy in legitimizing the process. In some cases, it is more than a common courtesy as it affects all the key stakeholders and grants them the opportunity to react to the report and engage in dialogue before its release to the public. The pre-release to the stakeholders promotes accuracy and allows them to provide comments to the report and to prepare to respond publicly to the report when it is released.

Some comments provided by outside stakeholders may be extremely helpful and contribute to the overall accuracy of the report, while others may be self-serving and compromise the integrity of the report. Advocates must be prepared to defend their findings and explain why some of the comments may not be incorporated into the report. Hosting a roundtable discussion with representatives from stakeholder groups may also result in angry responses from the participants, particularly where the report is critical of those groups. Advocates should anticipate and be prepared to respond to this hostility and consider scheduling follow-up meetings with those representatives afterward. Open communication is essential to the effective use of the roundtable format in a monitoring project.

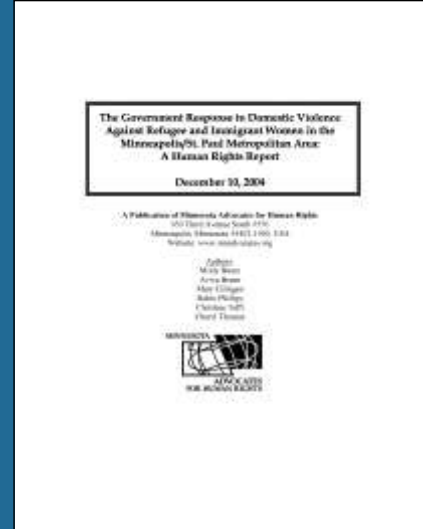
### The Advocates for Human Rights: Holding a Pre-Release Roundtable for the Battered Immigrant and Refugee Women's Documentation Project Report

The Advocates for Human Rights documented the government response to domestic violence in immigrant communities at the request of the Immigrant and Refugee Battered Women's Task Force. The report focused on the Minneapolis-St. Paul Metropolitan area. After extensive interviews and research, The Advocates prepared a detailed report of its findings. One week prior to finalizing the report, The Advocates sent an embargoed copy of the report to the directors of the government agencies that were highlighted in the report as having particular responsibility related to battered immigrant women. A few weeks prior to receiving the report, an invitation had



been sent to these agencies to a roundtable discussion about the report. The purpose of the roundtable was to give these agencies an opportunity to respond and discuss issues with The Advocates before the report became public. At the roundtable, these agencies were invited to point out any inaccuracies, concerns or disagreements they had with the findings. This process allowed The Advocates to correct any errors that might have been misleading. It also gave the government agencies not only the opportunity to address any concerns they had with the report but also to prepare for the media attention the report generated. It is important to note that The Advocates did not represent that it would make any change requested by the agencies but rather that it was open to discussion and further information about issues presented in the report and would consider changes requested.

The roundtable discussion was extremely productive. Senior government officials attended, including the county attorneys of Minneapolis and St. Paul, the head of the local U.S. Immigration office, the police and sheriff's departments, as well as one of the Justices of Minnesota's Supreme Court. The Advocates was able to clarify some minor points in the report, and each agency was able to express how the problems in the government response impacted them. While not everyone agreed with all of the individual findings, there was a consensus that the report was accurate and the government response should be improved. It was the beginning of an effective collaborative effort to address some of the breakdowns in the system response to battered immigrant women, making the cities safer for victims of domestic violence and providing greater accountability for violent offenders.



## F. Final Steps

### i. Copyright Information



Advocates should also consider copyright issues. An understanding of copyright law is important both to avoid infringing the copyrights of others and to protect the copyright in an advocate's own work. When quoting materials written by others, advocates should cite the source and obtain permission when appropriate.

The following discussion provides a general overview of copyright in the United States for the purposes of illustration. Like any summary of a complex subject, the following discussion is not complete and is subject to exceptions. Advocates may want to consult an attorney or visit the U.S. Copyright Agency's website for more information, at [www.copyright.gov](http://www.copyright.gov). Copyright Office Circular 1, available at <http://www.copyright.gov/circs/circ1.pdf>, is the source of much of the information contained in this summary. If the report will be published in a country other than the United States, advocates should check the applicable copyright laws in that country.

Copyright protects the authors of "original works of authorship" fixed in a tangible form of expression, e.g., written, recorded, or videotaped. An author has the exclusive right to reproduce the work, create derivative works from the work, sell, rent, lend, or transfer copies of the work to the public, and perform and display the work in public. The author has the right to grant permission to others to do the same with the work.

Works of the U.S. government are not protected by copyright. Ideas are not protected by copyright; rather, only the tangible expression of ideas is protected by copyright. An important exception to the exclusive rights of an author is the “fair use” exception, available *under certain circumstances* for purposes such as criticism, comment, news reporting, teaching, scholarship, or research.<sup>222</sup> Whether the fair use exception applies is often difficult to determine.

Copyright belongs to the person who created the work (the author). The author of a “work made for hire” is the employer or other person for whom the work was prepared. Work is made for hire if the work was created by an employee within the scope of his or her employment, or if the work is one of several types specifically identified in the copyright law, including a contribution to a collective work, that was specially ordered or commissioned and that the parties agreed in writing was a “work made for hire.”<sup>223</sup> A report drafted by advocates and volunteers for an organization may be a work made for hire. To ensure the organization owns the copyright, advocates should obtain a written agreement to that effect. Ownership of a copy of a work does not confer ownership of the copyright in the work.

Copyright is an automatic right that begins upon creation of the work. The duration of copyright varies, depending on when the work was created and other factors. For works created after 1977, copyright ends seventy years after the author’s death or, in a work made for hire, the earlier of 95 years after publication or 120 years after creation.<sup>224</sup>

Advocates need take no action to obtain copyright in a work they have created—it vests immediately when the work is created. Registration of the copyright and notice of copyright on the work are not required to confer copyright.<sup>225</sup> There are, however, advantages to printing notice and registering copyright of the work.

Printing notice of the copyright on the work advises the public of its copyright protection, names the copyright owner, documents the publication year, and can serve as important evidence in a case of copyright infringement. A proper notice of copyright includes the following elements:

© or “Copyright” year of the first publication      copyright owner’s name

For example: © 2015 The Advocates for Human Rights

For unpublished works, the advocate may still want to print a notice of copyright:

For example: Unpublished work © 2015 The Advocates for Human Rights

Publishing a work involves distributing copies of the work “to the public by sale or other transfer of ownership, or by rental, lease, or lending. The offering to distribute copies or phonorecords to a group of persons for purposes of further distribution, public performance, or public display constitutes publication. A public performance or display of a work does not itself constitute publication.”<sup>226</sup> Publication can affect copyright protection, and it obligates the owner to deposit the work in the Copyright Office.

Registering a work with the Copyright Office involves sending an application, filing fee, and a copy of the work for registration to the Copyright Office. Registration has several benefits, as it:

- Establishes a public record of the claim of copyright ownership;

<sup>222</sup> 17 U.S.C. § 107, U.S. Copyright Office, “Fair Use,” *Circular 102* (Washington D.C.: U.S. Copyright Office, Oct. 2009).

<sup>223</sup> U.S. Copyright Office, “Copyright Basics,” *Circular 1* (Washington, D.C.: U.S. Copyright Office, August, 2010), 5.

<sup>224</sup> *Ibid.*

<sup>225</sup> *Ibid.*, 3.

<sup>226</sup> *Ibid.*, 3.

- Is a prerequisite for bringing a copyright infringement lawsuit;
- May be evidence of the validity of the copyright; and
- May entitle the copyright owner to recover greater damages in a lawsuit, as well as attorney's fees.<sup>227</sup>

## ii. ISBN Information

Advocates who publish their own works should obtain an International Standard Book Number (ISBN), a 10-digit number that serves as a unique identifier of books. The United States' ISBN Agency, Bowker, is the official supplier of ISBNs for publishers. Importantly, the ISBN publisher identifier is unique to each applying publisher.<sup>228</sup> Once the advocate obtains its exclusive ISBN publisher prefix and associated list of ISBNs, it can assign those ISBNs to publications for which it holds publishing rights. A publisher may not re-assign, sell, or transfer any of the numbers obtained to another publisher.<sup>229</sup> This rule protects the integrity of the ISBNs and prevents misrepresentation of the actual publisher of the work. Therefore, advocates should be cautious about buying ISBNs from sources other than the ISBN Agency.

To apply for an ISBN, the advocate can fill out an ISBN application at Myidentifier.com and receive an ISBN instantly. The advocate should ensure that all copies of the report have the assigned ISBN listed.

## iii. Printing the Report

Advocates can make the report available in an electronic format to be distributed through online channels. The advantages of this method are that it is highly cost-effective and can promote distribution of the report. On the other hand, advocates will either need to make the report available for download free-of-charge or set up a payment system. Charging for report sales can trigger sales tax, and the organization will need to obtain tax advice on tax implications.

Advocates should be strategic in scheduling the timing of the report's release. For example, releasing the report in anticipation of or on a significant anniversary date can draw heightened attention. Timing a report to coincide with dates, such as human rights day (December 10), World Day against the Death Penalty (October 10), 16 Days of Activism against Gender Violence Campaign (November 25 to December 10), or anniversary dates of major events, can provide a strong incentive for media, officials, and the public to pay attention. If the report's completion is toward the end of the calendar year, advocates may want to consider waiting until January to release the report to avoid the appearance that the publication is outdated by having a date in the previous year.

Advocates can also design and produce print copies of the report. Having print copies can be costly, but it also provides a powerful visual aid that they can distribute to stakeholders, funders, and affected populations. Advocates can check with local printers or explore a number of online options for best price, options, and quality.

Advocates can also explore online publishers that print, distribute, and sell the report. For example, CreateSpace is an online publisher that allows anyone to print and distribute a work on a private website, Amazon.com, and other retailers. For a membership fee, advocates can upload and create their product, receive a proof copy, place an order for any minimum number of print copies, and sell the finished product through retailers. Benefits and drawbacks of using an online publisher will vary depending on the company, but a few advantages and disadvantages are noted below:

### **Advantages:**

- Can easily use and upload the publication.
- Can obtain ISBN from publisher.

<sup>227</sup> Ibid., 7.

<sup>228</sup> Bowker U.S. ISBN Agency, "General Questions," accessed Jan. 17, 2014, [http://www.isbn.org/standards/home/about/faqs\\_main.html](http://www.isbn.org/standards/home/about/faqs_main.html).

<sup>229</sup> Ibid.

- Removes the printing, sales processing, and shipping burden from the advocate if he or she chooses to sell through the online retailer.
- Receive sales updates and royalty checks from publisher.
- Gives wider distribution through online retailers, such as Amazon.com.
- Can order prints as needed, with no minimum requirement, and no bulk step shipping costs.

#### **Disadvantages:**

- Must pay a fee.
- Must work within the online publisher's formatting and design parameters.
- Can take time to receive print copies of the proof and final copies.
- Must pay shipping costs for prints ordered.
- Must do the initial layout or use the services of an expert designer to achieve a professional look.

#### **iv. Translation**

Depending on the audience, advocates may also want to consider whether they will want to have all or part of the report translated. Translation can take considerable time and resources. If a report will need to be translated into another language, advocates need to build adequate time for that into their publication schedule. Advocates will also need to consider whether they will use professional or volunteer translators. Professional translation can be costly, so will need to be included in the planning for the project budget. Volunteers, on the other hand, may take a longer time to complete the project. They may also require an additional editorial review for accuracy and consistency.

If there are limitations on time or resources, advocates may want to

prioritize the translation of certain sections of the report. For example, many human rights organizations prioritize the translation of the Executive Summary and Key Recommendations sections of a report. If these sections are translated first, they can be distributed with the full version of the report in the original language.

#### **v. Releasing Your Report to the Public**

It is important to include members of the community or affected population when planning for the release of a report. Just as communicating the report findings and recommendations to lawmakers and service providers is an important part of the process, so too is conveying that information back to the participants who shared their



Shadow report translated into Arabic

experiences in the first place.<sup>230</sup> Advocates may want to include plans for outreach events and community meetings, creative messaging such as dramatic performances, and translated and/or simplified language versions of the report.

Advocates should carefully analyze how to maximize the impact of the report. A first step is to list the target audience for the report, including members of the community or affected population.<sup>231</sup> Advocates should next consider and evaluate all options of communicating their findings to these target audiences. There are a myriad of mechanisms advocates can use to publicize their findings, whether through report dissemination, the media, workshops, group meetings, symposia, and other outreach initiatives. At a minimum, advocates can draw upon several means already at their disposal:

- Draft a story about the report for placement in the organization's newsletter.
- Announce it on the organization's website.
- Create an urgent action advocacy piece around the report.
- Email an announcement to the organization's list of supporters and partners.
- Have copies of the reports at organizational events.
- Conduct workshops or outreach campaigns around the report's findings.

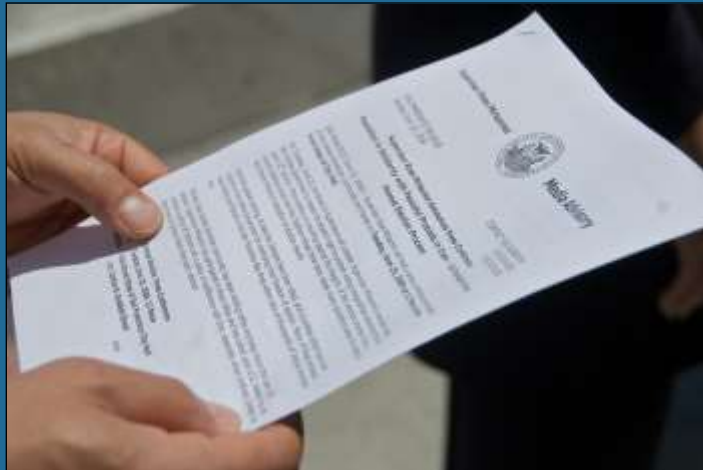
#### a. Media

One commonly used publicity option is the press release. Issuing a press release communicates to news outlets that the report is newsworthy. Advocates can send press releases to print media, online media, radio stations, television stations, and commercial distributors. Generally, the advocate should strive to release a succinct and comprehensive description of the event, whether it is the project's finalization or release of the report. Another option to garner publicity is to hold a press conference. A press conference provides organizations with a means of communicating information to the media in the manner chosen by the organization. See Chapter 7: Advocacy for further discussion on press releases and conferences.

#### Practitioner's tip: Press Releases

The following are some basic tips to follow when drafting a press release:

- Include the date and indicate whether the document is for immediate release or to be embargoed for another specific date.
- Include the name and contact information of a person for follow-up questions and comments.
- Position the organization's logo at the top, and include a 2-3 sentence basic description of the organization. Avoid including the mission statement in the description.
- If submitting the same release to multiple sections within a news source, note on the release.



<sup>230</sup> Ellsberg and Heise, *Researching Violence Against Women*, *supra* note 200, at 221; Interview with Staff Person, Center On Housing Rights and Eviction, Nov. 10, 2010.

<sup>231</sup> Ellsberg and Heise, *Researching Violence Against Women*, *supra* note 200, at 217.



*Writing style and format tips:*

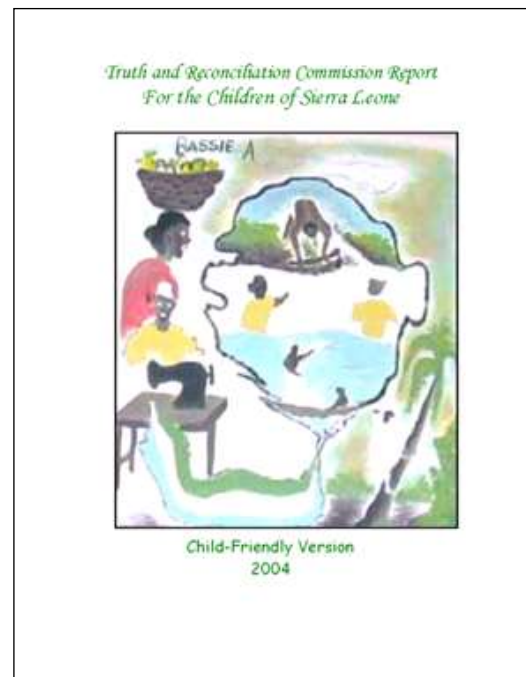
- Be concise. Keep sentences short. Aim for one and not more than two pages.
- Grab attention with the headline and within the first paragraph. The headline should summarize the newsworthy event and draw the reader into the release. The release should cover the most significant information first in the lead paragraph, then less important information toward the end of the release.
- Address the five Ws and H within the initial paragraphs: who, what, when, where, why, and how.
- Be accurate, and check all facts and spellings. Avoid jargon.
- Include one or two quotes.
- If the release is longer than one page, state “more” at the end of the page and include identifying information on subsequent pages.
- At the end of the press release, state “end,” “-30-,” or “###” to signal conclusion.
- Submit the release in a timely manner. If mailing or emailing, submit the release ten days prior to the target date; if faxing, submit the release five days before the target date.

Prioritize releases to determine which need follow-up phone calls. If calling, make the call within three days of the target date. The purpose of a follow-up call is not to check if the journalist received the release; rather, the purpose of a call is to refresh the journalist’s memory and sell the story. See Appendix E for a sample press release.

### b. Formatting the Report for Different Audiences

Advocates should consider whether there would be a benefit to formatting the report to make it more accessible for specific audiences. Some of the audiences that may require unique formatting include illiterate populations and children. For example, the Truth and Reconciliation Commission of Sierra Leone published a child-friendly version of their report so that the children of Sierra Leone who participated in the Commission’s processes would be able to understand the findings and recommendations. A secondary goal was to ensure that others outside of Sierra Leone could better understand the experiences of children in Sierra Leone during the war.<sup>232</sup>

In addition to simplified versions of reports, advocates should consider whether there are other formats that would help them effectively share the information in the report. Some human rights organizations choose to make a video or produce a radio program that summarizes their report in order to reach audiences that may not be able to read or obtain access to the



<sup>232</sup> UNICEF, *Truth and Reconciliation Commission Report for the Children of Sierra Leone*, 2004. Available online at <http://www.unicef.org/infobycountry/files/TRCCF9SeptFINAL.pdf>.

full, written report. Advocates should carefully consider the potential benefits as well as the additional resources that it would take to produce the report in other formats.

## Photograph and Image Credits

### Chapter 6

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- Creative Commons License: <http://CreativeCommons.org/Licenses/by-nc-sa/2.0/deed.en>

page 95 Truth and Reconciliation Commission of Sierra Leone, Vision of a peaceful Sierra Leone, Drawing by a child during a session for psychosocial support at an interim care centre in Sierra Leone, <http://www.unicef.org/infobycountry/files/TRCCF9SeptFINAL.pdf>.