

VIDEO^{AS} EVIDENCE

ENVIRONMENTAL DEFENSE GUIDE



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Each of the ten *Mini Guides* in this series can be reviewed and used separately. However, we encourage you to review the full series, together with the *Video as Evidence Field Guide* available [here](#) so you will have a good sense of how video evidence goes from collection in the field to use in advocacy and legal processes.

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In remembrance of

Ousmane Aminata Bangoura

Paulo Paulino Guajajara

Berta Cárceres

Samir Flores

Tireless defenders of all our human rights



The protection of our planet is the human rights challenge of our time. If we fail to protect our land, air, water, and atmosphere, not only will we prevent solutions to entrenched human rights challenges—poverty, migration, war, disease, state-sponsored violence, and racial injustice—we will worsen all these problems.

Yet, governments across the globe continue to plan, permit, subsidize, and welcome extractive industries into their countries. These industries—mining, oil and gas, timber, hydro, agri-business, and high-end real estate—very often place profit over communities. The presence of multinational extractive corporations all too often results in the forced eviction of communities from their ancestral lands, health problems stemming from the pollution, the reckless destruction of the natural resources communities depend upon for their very survival, and more.



Environmental defenders and monitors living in communities have always been the first line of defense against the industries responsible for the destruction of our shared natural resources. Time after time, affected communities have peacefully stood up to the corporate exploitation of forests, wetlands, oceans, coastlines, skies, and biodiversity hotspots. The price of resistance is high. Around the world, those defending community lands and our shared environment are being silenced. Since 2016, more than four defenders have been murdered every week.

Countless others have been threatened, arrested, and thrown in jail for daring to oppose the governments or corporations seeking to profit from the extraction of shared natural resources.

We recognize the great risks that environmental defenders take to stand up to power, and understand that the collection of visual evidence is only one strategy communities use to protect their environmental human rights. We hope to support this resistance—even if in a small way—by sharing the *Video as Evidence Environmental Defense Guide*.

Community monitors in Peru identify and record a clearing in their territory



Photo: Global Forest Watch



Watch a two-minute video about community monitors in Peru and learn more at globalforestwatch.org.

About

This *Video as Evidence Environmental Defense Guide* builds on the **[Video as Evidence Field Guide](#)** (*VaE Field Guide* or *Field Guide*) and should be read with the full Field Guide. The key is this: The *VaE Field Guide* focuses on how to document international crimes—war crimes, crimes against humanity, genocide, and sexual and gender-based violence. **The principles and practices are the same whether you are documenting international crimes or environmental human rights crimes and violations.** However, sometimes it is hard to envision how the principles and practices apply in different situations. This is why we wrote the *Video as Evidence Environmental Defense Guide*.

This Guide contains information and good practices to help community-based documenters collect visual documentation of environmental human rights crimes and violations so that the documentation can be effectively used in advocacy and accountability processes.

But remember:

- Every situation is different
- Adapt the practices shared here to meet your needs
- Always put your safety and that of others first
- When possible, work with a lawyer who knows about the laws and rights in your country



Help us improve this Guide. Send us your ideas and feedback to **feedback@witness.org**. Also, please feel free to modify these guides to better meet your community's specific needs. Information about the Creative Commons license can be found on the first page.

Who is this for?

This Guide is primarily for community members who:

- Live where industries that mine, extract oil and gas, build dams, cut timber, clear land for agri-business developments, grab land for high-end real-estate development, and do so in a way that violates the environmental human rights of communities
- Want to—and can—safely document these violations with phones, cameras, and drones
- Want to—and can—safely use the documentation to protect human rights
- Would like to help train others to safely collect relevant and reliable visual documentation for human rights advocacy and accountability

Indigenous monitors from the Kofán Nation and the community of Sinangoe in Ecuador detect and record visual evidence of illegal hunting in their territory.



Photo: Amazon Frontlines and the Ceibo Alliance

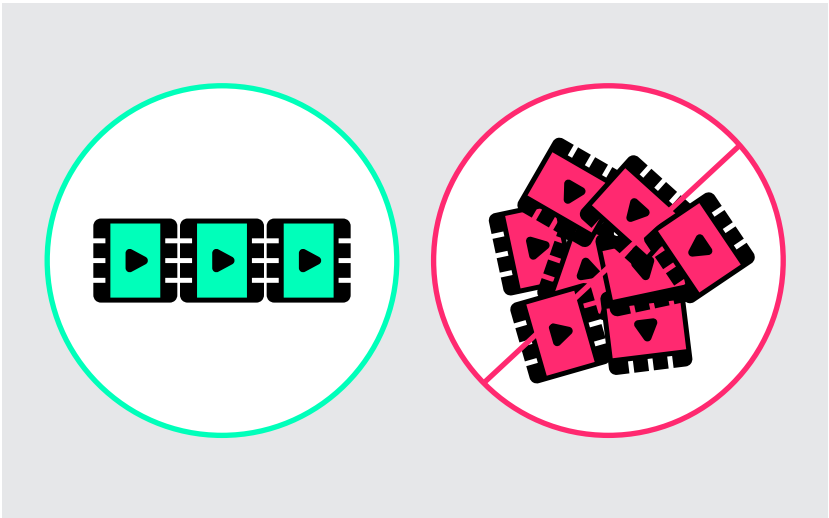


Through the use of community land patrols, camera trap photos and videos, drone footage, satellite imagery, and territorial mapping, the community of Sinangoe succeeded in using reliable, evidence-based, real-time information about invaders to better defend their ancestral land and rights.

To learn more about Sinangoe's monitoring project to detect, document, and denounce illegal activities in their traditional territory, [watch this ten-minute video](#) and read more at amazonfrontlines.org/chronicles/monitoring-land.

Objective

The objective of this Guide is to help communities affected by extractive industries collect high-quality, actionable, video and photo documentation of violations committed by industry, governments, and other perpetrators.



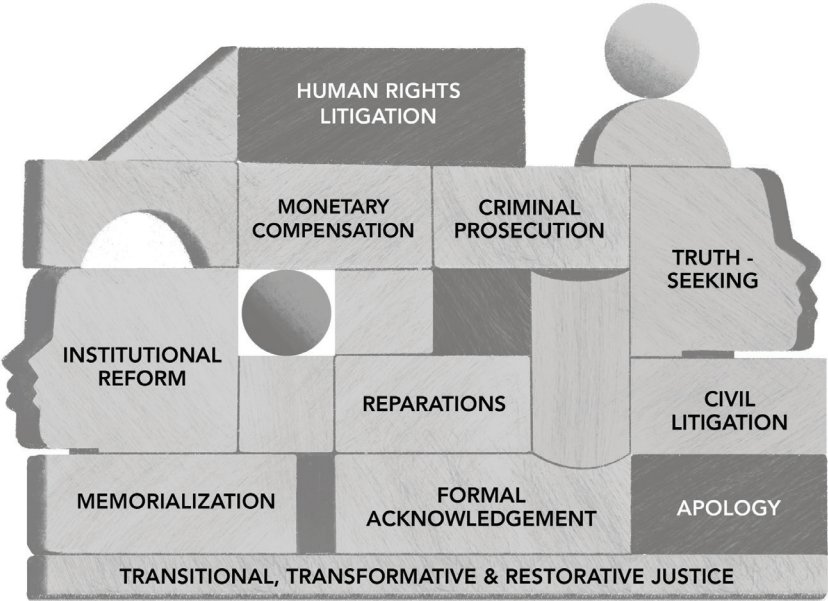
It is better to collect less of high-quality and relevant visual documentation instead of collecting a lot of low-quality and irrelevant visual documentation.



End Goal: Protection. Justice. Accountability.

There are many barriers in the struggle to protect our basic environmental human rights. Power, politics, and profit not only drive the desire to exploit natural resources, they also fuel the fight for justice and legal accountability. It is important to acknowledge that many communities will never receive the justice they deserve, let alone justice in a court of law. However, it is also important to remember that justice does not only come from a court. It can take many forms, and communities have the right to define which paths to take.

The end goal of this *Video as Evidence Environmental Defense Guide* is to ensure that any visual documentation collected can and will be used in advocacy and accountability efforts to stop violations from happening in the first place, and secure justice when and where they do happen. In turn, communities and the essential resources we all depend upon for our well being—and even our very survival—will be safeguarded.





Before you start documenting crimes or violations, first determine the reason you want to collect this evidence and reflect on how you will use the documentation to make a difference.

Why do you want to collect video or photo documentation?

Example: To stop the mining company from polluting the river.

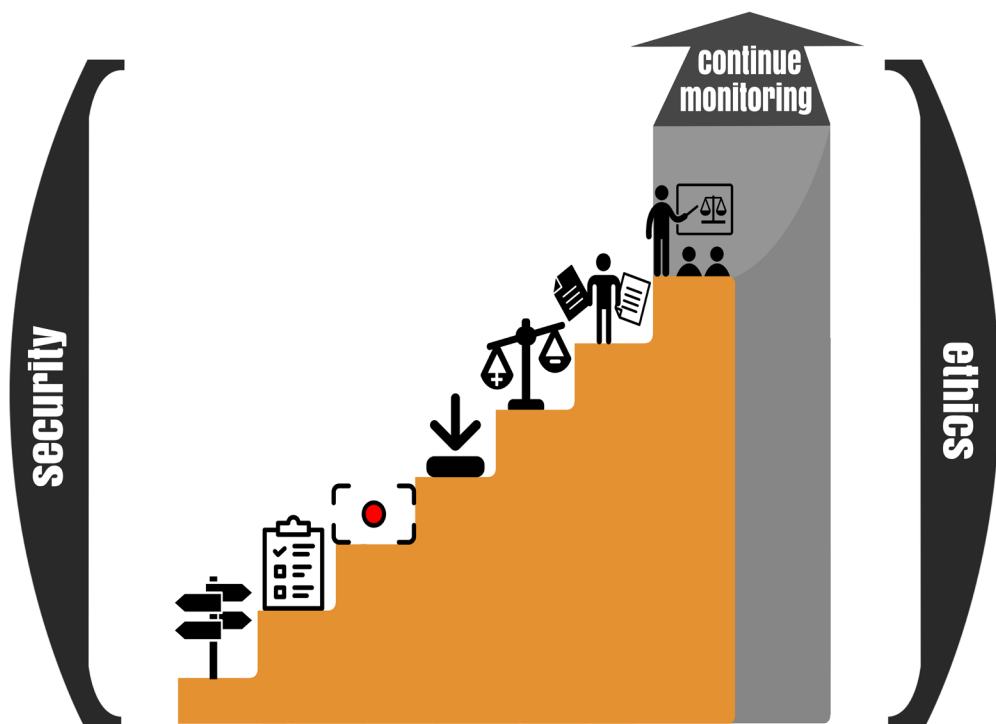
How will you use the documentation to create human rights change and safeguard natural resources?

Example: To show the government, company shareholders, and courts how the mining company is destroying rivers so the company's concessions are cancelled.

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MINI GUIDE I

STEPS: FROM CAMERA TO JUSTICE

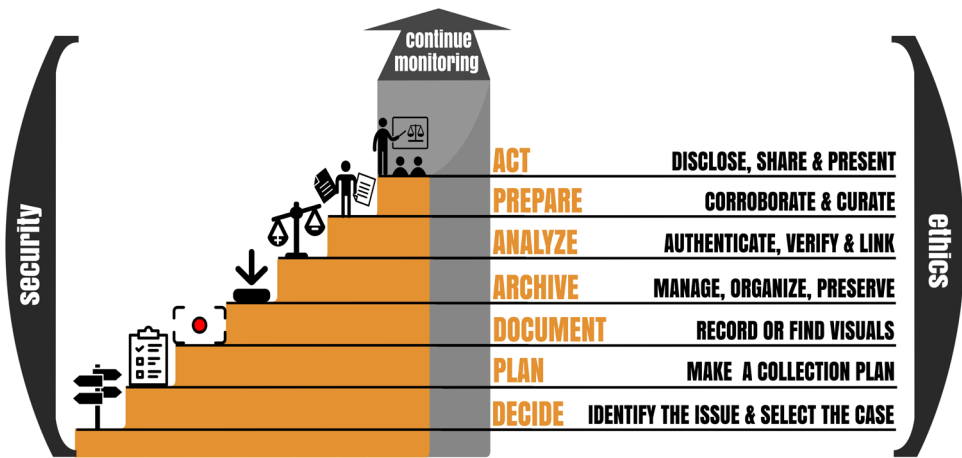




It Takes a Team to Make Evidence Matter

Evidence is information presented to prove or disprove a fact to audiences. These audiences may include the media, states, corporations, and courts. For the purpose of this *Video as Evidence Environmental Defense Guide*, we consider the entire process—collecting, preserving, and presenting evidence—as one driven by the goal of using visual evidence in advocacy and legal processes to secure change, accountability, and justice.

Visual evidence including video footage, photos, satellite imagery, and maps can be powerful evidence. **But it often takes a team of people, working together, to ensure the visual evidence collected by the communities is seen by the people who have the responsibility to act.** Here is a step-by-step ladder of how we have seen evidence move from camera to justice. Next is a short description of the different types of roles various people in your team need to play in order to ensure your evidence makes a difference.



MINI GUIDE 1

STEPS: FROM CAMERA TO JUSTICE



Just like a fútbol team—where strikers, wingers, midfielders, defenders, and the goalkeeper all have specific roles—video evidence teams need people to play different roles too. They are:



Deciders

Communities experience an array of human rights violations caused by extractive industries. Usually there is not enough time or resources to document every single violation. So, commonly, communities have to prioritize their documentation efforts to only collect evidence of the most significant violations.

Who: Communities lead in prioritizing which violations to document, ideally in partnership with lawyers.



Planners

Before filming, the Planners prepare a Collection Plan, Mission Plan, and—very importantly—a Security Plan.

Who: Ideally the community members who will capture the video and photo documentation together with a lawyer but anyone in the community could work on this plan.



Documenters

The team members that capture the photos and videos in the field.

Who: Community members



Archivists

These team members collect all the footage from the Documenters. Then, they organize, catalog, manage, and preserve it.

Who: Usually a small group of community members and/or staff members at a local NGO.



Analysts

Analysts review the visual documentation and assess its relevance, reliability, and strength. Then, they connect the facts that need to be proved with the evidence. Finally, they decide how the evidence can be used in advocacy and legal efforts.

Who: Typically, the person/s leading the community's advocacy or legal efforts and, if for courts, a lawyer too.



Preparers

These team members combine the video footage and photos with all the other evidence to build a case that no one can deny.

Who: This most often is a community member with editing, writing, and design skills together with the person/s leading the community's advocacy efforts. And, if for courts, a lawyer too.



Sharers & Presenters

The team member best placed to present the visual evidence will depend on the audience (media, government officials, courts, etc.).

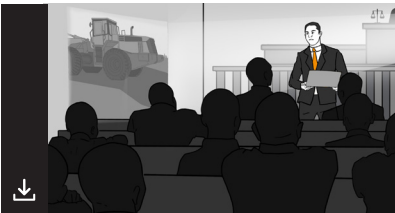
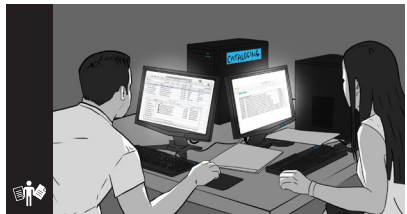
Who: If the evidence is being shared with a judicial mechanism, a lawyer will present the evidence. Community members may be asked to give their testimony about what the images show.

MINI GUIDE 1

STEPS: FROM CAMERA TO JUSTICE



Here's what the STEPS and ROLES look like at the community level.



MINI GUIDE 1

STEPS: FROM CAMERA TO JUSTICE



Who on your team will be responsible for which step? Sometimes the responsible person or groups of persons will be from the community.

Sometimes it will be a community's allies from other parts of the world.

Include names if possible.



Deciders



Analysts



Planners



Preparers



Documenters



Sharers & Presenters



Archivists

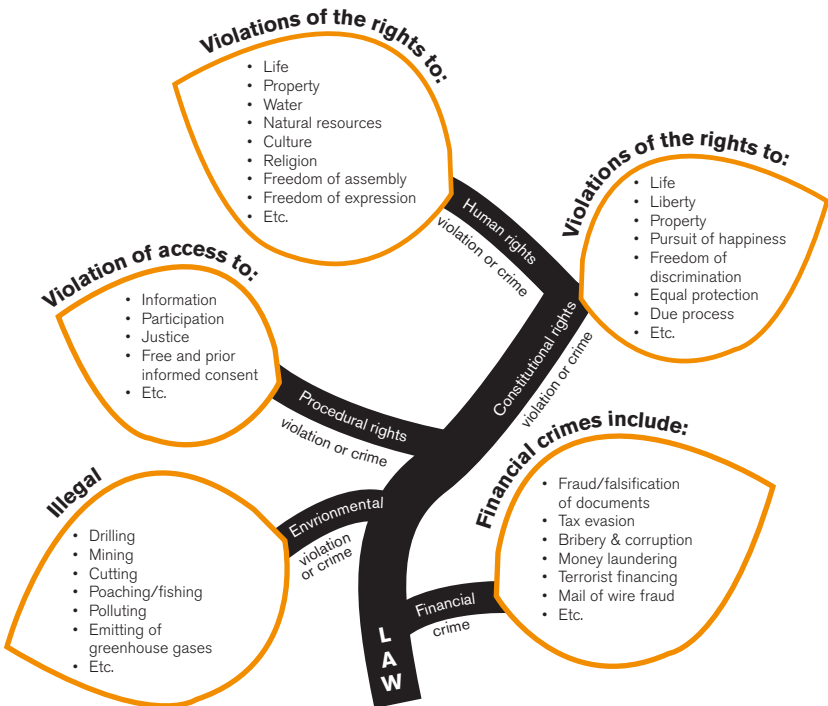
NOTES

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MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS (THE LAW IN SHORT)



There are many different types of crimes and violations caused by extractive industries. This illustration shows the main groupings and a few examples.

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



VIOLATIONS: Progression

An extractive industry, developer, state, or other ...



... is about to commit, in the process of committing, or has committed an environmental crime or violation.



This crime or violation will, or has already, resulted in a human rights violation.



When possible and safe to do so, document the:

- situation before the environmental crime or violation is committed
- the actual crime or violation as it happens
- impact to the environment
- resulting human rights violations



Then, work with your community to seek protection, change, justice, and accountability.



The ‘Note from the Field’ about Norilsk Nickel on page 22 illustrates this progression.

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ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



VIOLATIONS: Extractive Industries & Violations

Here are the main **extractive industries**

Logging



Agri-business



Oil & Gas



Mining



Hydro
Power



Commercial



Real Estate
Development



Illegal Hunting
& Trade



Here are just a few common **environmental crimes and violations** these industries commit

Dumping hazardous
waste



Taking more timber than allowed
by the permit



Using prohibited fishing
methods



Extracting resources inside
a protected area



Exceeding air
pollution limits



Here are just a few examples of **human rights violations that result from** the
commission of an environmental crime or violation

No consultation



Polluted water



Forced labor



Forced eviction



Loss of
livelihoods



Physical
Harm



Polluted
air



Inadequate
compensation





NOTES FROM THE FIELD

NORILSK RUSSIA: ONE OF THE MOST POLLUTED PLACES ON EARTH



CONTENT WARNING

The following Note includes a discussion and references to slave labor, killings, and massive environmental destruction.



Photo: allabouttravelling.com



To learn more, [watch this one-minute video](#) about Norilsk Nickel.

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



© Irina Yarnetskaya | Zapsolyarnaya Pravda newspaper | AFP | Getty Images

BACKSTORY: NORILSK NICKEL

The history of the northernmost city in the world, Norilsk, Russia, is a long story about environmental crimes and human rights abuses steeped in sadness.

Galmina Skopyuk was 17-years old in the 1940's when Soviet authorities arrested an entire school of teenage girls in western Ukraine without reason. The girls were taken to an outpost in Siberia, Norilsk where they were forced into slavery. 'It was plain hard labour,' Galmina explained. 'From seven in the morning till eight at night every day, without a midday meal. We didn't have any days off, except when it was minus 45, minus 50 [degrees] outside.'

Originally built as a resource colony by prisoners, today, the city of Norilsk is home to over 175,000 citizens and one of the largest metal mining and smelting complexes in the world: Norilsk Nickel or Nornickel as it is commonly called.

Nornickel has been extracting metal from the fragile Arctic landscape since 1942. The company's labor and mining practices have left a wake of incalculable destruction to individuals, landscapes, and communities across the region.

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



© University of Cambridge

ENVIRONMENTAL HARMS

Environmental damage committed by Norilsk Nickel, includes:

- Its smokestacks put more sulfur dioxide—the cause of acid rain, into the air than any other human-made complex in the world, more than any other power plant, oil field, or smelter.
- This sulfur dioxide pollution has created a 'dead zone' leaving 5.9 million acres of Russia's boreal forest downwind from the complex scarred with dead and dying trees. This dead zone covers an area larger than the country of Belize.
- Heavy metal pollution is ongoing. For example, in the first three months of 2021 alone, the amount of cobalt Norilsk discharged into waterways was four times the legal limit, iron discharges were 45 times the legal limit, and nickel discharges 100 times what is legal.
- Overflow from the plant's wastewater pits has turned glacial rivers red.
- In 2020, a rusted tank burst and spilled 6.5 million gallons—about 6000 semi-truck tankers' worth—of diesel fuel, which is poisoning waters that flow to the Arctic Ocean and killing massive numbers of fish.

'Norilsk is 'an ecological disaster zone' and 'ranked in the top ten dirtiest cities in the world.'

~Russian Federal States Statistics Service

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



- Food shortages worsened following the 2020 diesel fuel spill, when researchers found elevated metal contamination in fish—a key food source for many in the region—making them unsafe to eat.
- Overflows and spills of toxic waste into water sources limit access to clean water. In addition, Nornickel's operations have emitted a fine, black dust of heavy metals that has fallen on the areas for decades. During the spring thaw, this soot runs into ponds and streams, where it settles on the bottom into layers that have built up in places 1 to 1.5 meters thick. This means much of the region's water is poisoned.
- After the 2020 spill, Nornickel agreed to pay compensation to communities. This compensation did not come as promised, forcing communities to fight for reparations they were entitled to.

Throughout the decades, Nornickel has stolen land, enslaved and executed innocent people, poisoned rivers, killed off boreal forest, and caused one of the largest oil spills in Arctic history—injuring Indigenous communities and the residents of the city that bears its name. But Nornickel is not alone. Extractive industries across the globe pillage the environment and, in turn, undermine our basic rights.



Photo: Irina Yarnskaya (AFP)

'The message is plain enough and we have ignored it for far too long: the great, centralized economic entities of our time ... come to take as much of value as they can take, as cheaply and as quickly as they can take it They are not interested in the good health—economic or natural or human—of any place on this earth.'

~Wendall Berry, Author

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



© VK.com

RESULTING HUMAN RIGHTS VIOLATIONS

Human rights violations in Norilsk began before the first foundation stone was laid. First the Soviets stole the traditional homelands of the Dolgan, Nenet, Nganasan, Evenki, and Enet Indigenous Peoples to build the city of Norilsk and the Norilsk industrial complex. Then, Norilsk rounded up laborers and sent them to the town's concentration camp. Many never made it out of the camps dying due to the conditions or were, according to camp records, just 'shot'. Today, extractive operations that began with the forced evictions of Indigenous nations,

the enslavement of hundreds of thousands of people, and the killing of many prisoners, continue to harm many living in the region today.

PRESENT-DAY RESULTING HUMAN RIGHTS VIOLATIONS

Risks of death from cancer, heart disease, and infectious disease are all elevated in the region. Other health impacts from the pollution include trouble breathing, severe coughing, skin/nose/eye irritations, allergies, and even loss of consciousness. Life expectancy of the people living in Norilsk is ten years shorter than those living in the rest of Russia.

'You cannot breathe there.'

~Valeriya 'Lera' Bolgova, Leader, Nganasan People

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



ENVIRONMENTAL VIOLATIONS: Broad Checklist

When possible, it is good practice to list: i) all the specific **environmental violations** extractive operations have committed or are about to commit, *and*
ii) all the **human rights violations that will result**. Then, prioritize which crimes and rights violations your community will document.

It is impossible to list all the specific environmental and human rights crimes and violations that corporations, states, and others might commit because there are so many, the law is complex, and laws varies from country-to-country. So, the following short checklists include examples of common and broad violations. A person with legal training can help you identify the specific violations being committed in your community.

Common Environmental Crimes and Violations

- | | |
|---|--|
| <input type="checkbox"/> Cutting timber, mining, or extracting oil and gas without a permit or in excess of a permit | <input type="checkbox"/> Setting up and operating a project without an Environmental Impact Assessment (EIA) |
| <input type="checkbox"/> Illegal harvesting and trading of protected plant and tree species | <input type="checkbox"/> Violating the requirements in the final EIA |
| <input type="checkbox"/> Illegal poaching and trading of endangered wildlife species | <input type="checkbox"/> Trespass by the company or company workers |
| <input type="checkbox"/> Illegal hunting and fishing | <input type="checkbox"/> Corruption crimes such as bribery, falsification of documents, smuggling, money laundering, tax evasion, financing of terrorists groups, etc. |
| <input type="checkbox"/> Using illegal hunting or fishing methods | <input type="checkbox"/> Unsafe working conditions |
| <input type="checkbox"/> Pollution crimes which include the illegal dumping or discharge of hazardous waste harming our air, water, or soil | |
| <input type="checkbox"/> Noise pollution | |

Once you have your list, prioritize which crimes and violations you will document.

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



HUMAN RIGHTS AND CONSTITUTIONAL VIOLATIONS:

Broad Checklists

Violations that often result from extractive activities

The Right to:

- | | |
|---|---|
| <input type="checkbox"/> Life | <input type="checkbox"/> Education |
| <input type="checkbox"/> Liberty | <input type="checkbox"/> Adequate compensation for land |
| <input type="checkbox"/> Security | <input type="checkbox"/> Agreed-upon revenue from the extractive activities |
| <input type="checkbox"/> Property | <input type="checkbox"/> Dignity |
| <input type="checkbox"/> Pursuit of happiness | <input type="checkbox"/> Freely assembly and peacefully protest |
| <input type="checkbox"/> Clean water | <input type="checkbox"/> Freedom of expression |
| <input type="checkbox"/> Access to clean water | <input type="checkbox"/> Be free from discrimination |
| <input type="checkbox"/> Natural resources | <input type="checkbox"/> Be free from harassment |
| <input type="checkbox"/> Adequate health and well-being | <input type="checkbox"/> Information |
| <input type="checkbox"/> Development | <input type="checkbox"/> Consultation |
| <input type="checkbox"/> Culture | <input type="checkbox"/> Participation in environmental decision-making |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Free, Prior & Informed Consent |
| <input type="checkbox"/> Safe working conditions | <input type="checkbox"/> Access to justice |
| <input type="checkbox"/> Adequate pay for work | <input type="checkbox"/> An effective remedy for violations |
| <input type="checkbox"/> Be free from forced labor | <input type="checkbox"/> Equal protection of the law especially for minorities and indigenous peoples |
| <input type="checkbox"/> Be free from sexual violence and trafficking | <input type="checkbox"/> Due process |
| <input type="checkbox"/> Not work as a child | |
| <input type="checkbox"/> Not be subject to degrading treatment | |
| <input type="checkbox"/> An adequate livelihood | |

Once you have your list, prioritize which violations you will document first.

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



SPECIFIC VIOLATIONS

The short checklists gave examples of the **broad** violations that may result from extractive activities. Now, let's turn to **specific violations** and look at examples of how visual evidence can prove them.

Take a look at the photos below. The violations are not obvious at first glance. But in reality:



This truck is carrying ore from an open-pit copper and cobalt mine near Lubumbashi in the Democratic Republic of Congo. The company operating the mine—Ruashi Mining—is required to cover the loads with tarps to lessen the impact on air quality and lessen the air quality and human health impacts, and to minimize the risk of a spill. This photo helps prove a specific violation: Ruashi Mining is violating its permit by not using tarps as required.



Sulfur Dioxide (SO₂) is a colorless gas and air pollutant that can be a threat to human, animal, and plant health. The communities living near Ruashi's open-pit mine believe that the company is illegally releasing SO₂. Since SO₂ is invisible, the communities cannot photograph the gas. Instead, they photograph the symptoms. Plants get brown spots from SO₂ exposure. The scientific word for this is 'necrotic spots'. These spots can be photographed. Community members will experience coughing, throat irritations, and breathing difficulties. These symptoms can be recorded on video.

Photos: Christophe Kabwita

MINI GUIDE 2

ABOUT ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



VIOLATIONS: SPECIFIC VIOLATIONS

List, the violations your community would like to document in priority order:

1st

2nd

3rd

4th

5th

Continue to list all the **broad** and **specific** violations that the extractive industry near you is committing and the resulting harms facing your community.

Broad Violations

Specific Violations

<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
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MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS

(A LITTLE MORE LAW)



MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



PROVING VIOLATIONS

Before deciding whether to use a camera to document environmental human rights crimes and violations, it is good to have a basic understanding of what lawyers need to prove to protect resources or secure justice and accountability. This understanding will help documenters make informed decisions about what visual information to collect, and will increase the chance that any videos and photos collected will have value as evidence.

Here is a summary of the steps we will look at more closely:

STEP 1

Form a good understanding of **WHO** committed **WHAT** violations and **HOW**

STEP 2

Break **WHO, WHAT, and HOW** into individual facts that need to be proved. In legal terms each individual fact is called an **'element of a crime'** or a **'material fact'**

STEP 3

Think about what evidence is needed to prove each element of a crime or material fact one-by-one by using a 'Collection Plan'

STEP 4

If safe, start collecting relevant and reliable documentation (covered in Mini Guides 4 – 8)



In this Guide we use 'crime' and 'violation' interchangeably.

MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS

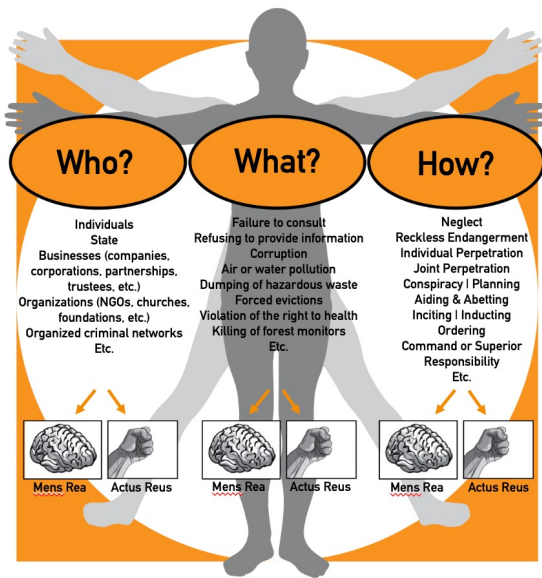


PROVING VIOLATIONS

STEP 1

To stop a person, state, corporation, or others from committing environmental human rights crimes in the first place, or to hold them accountable for crimes that have already been committed, your team will need to establish:

- WHO is involved
- WHAT crime they will, are, or have already committed, and
- HOW they are participating or already participated in the commission of a crime or violation



So, our goal as documenters is to capture images that help prove WHO, WHAT, and HOW. Let's look at WHAT first.



Filming HOW is beyond the scope of this Guide. For more information, **review 'Anatomy of a Crime'** in the *Video as Evidence Field Guide*.

MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



PROVING VIOLATIONS

In this *Guide* we have already shared examples of how photo and video documentation could help to prove WHAT crime or violation was committed. We have seen visuals that appear to show:

- air and water pollution at a nickel mine in Norilsk, Russia
- trucks not covered with tarps as required by a permit at Ruashi Mine in the Democratic Republic of Congo (DRC)
- plants with visible symptoms of sulfur dioxide (SO₂) poisoning in the DRC

Here are a few more examples that could help show WHAT crimes or violations extractive industries, states, or others may commit. The purpose of these examples—in addition to the ones above—is to spark ideas about the relevant video or photo documentation we could gather to use as evidence.



This was a big spring that served the whole village.



See... What's left is only mud.



Here are visuals that could help prove a mining company ruined a community's water source.

For more information, [**watch the two-minute video**](#) *Guinea: Mining Companies Exploit Rural Communities.*

MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



PROVING VIOLATIONS

Community members in the village of Kishiba in the DRC were forced to move to make way for Frontier Mine to extract copper and cobalt. Their new homes in the village of Kimfumpa lacked the most basic of services such as clean water, fertile farmland, schools, and health care. This violates international human rights principles on resettling communities.

Here are screenshots from a video that could help prove:

the lack of access to clean water:



the inadequacy of housing provided to the community



For more information, **watch the 13-minute film** *Cobalt from Congo: Whose Wealth?*

MINI GUIDE 3

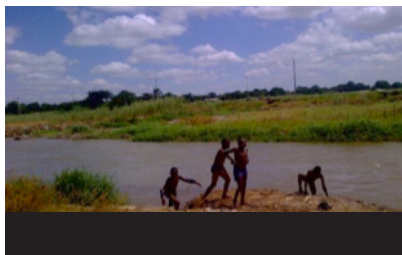
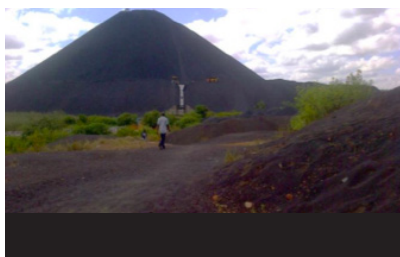
PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



PROVING VIOLATIONS

Toxic substances from mining activities often pollute water and soils, endangering the health of nearby communities.

To help link pollution from mining activities to human health risks, scientists included these relevant photos in an assessment of the Lubumbashi River and Tshamilemba Canal near Katanga, DRC



- A: Lubumbashi River flowing between a mining plant and facilities of the former factory of the Gecamines
- B: An abandoned mound of waste from the mine, also called a 'slag hill'

- C: Children playing at a contaminated site
- D: Community activities using the contaminated river water



Read the full assessment of contamination of the Lubumbashi River and Tshamilemba Canal.

MINI GUIDE 3 PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



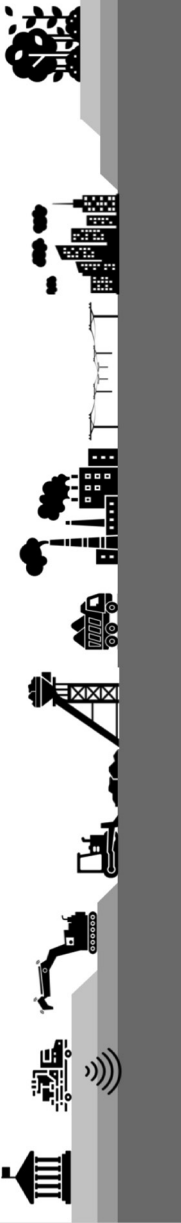
PROVING VIOLATIONS

Proving WHO should be held accountable for environmental and human rights crimes and violations by extractive industries can be complicated because usually there are so many different companies, government ministries, individuals, and officials involved in developing, permitting, and operating extractive activities.

Here are a few examples of the many different individuals and entities that could be held accountable at a mining site:

- the government for wrongly issuing the permit to mine on community-owned land
- the parent company for mining outside the permitted area
- the sub-contracting company for violating the permit by dumping toxic chemicals from the mining site into a local river
- the transport company for improperly transporting raw materials
- the head of the Ministry of the Environment for the national government for failing to properly enforce the permit and laws
- the Chief Executive Officer for failing to ensure the company operates within the confines of the law
- the individual that dumped toxic chemicals into the river
- And more ...

Permitting → Exploration → Extraction/Production → Transportation → Processing → Distribution → Consumption → Reclamation



MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



PROVING VIOLATIONS

Here are some examples of visual content that could help identify WHO might responsible for a crime or violation.

Logos



Types of vehicles



Registration numbers



Infrastructure



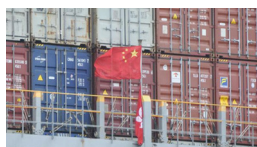
Signs



Uniforms



Flags



Faces & names



Documents



Leaders and allies



Video from other cameras



Weapons and rank





PROVING VIOLATIONS

STEP 2

Break WHO, WHAT, and HOW into the individual facts we need to prove. In legal terms each individual fact is called an 'element of a crime' or a 'material fact'.

Let's look at how this works. If we need to prove the military police in your country (WHO) forcibly evicted (WHAT) your community to make way for an agri-business company, here is a list of some—not all—of the elements or materials facts we may have to prove:

- ☐ the community evicted had rights to the land
- ☐ the eviction actually took place
- ☐ government failed to provide meaningful consultation with the community or the consultation was inadequate
- ☐ the government failed to allow the community to meaningfully participate in the consultation process (i.e. failed to provide adequate notice of public meetings, failed to provide legal assistance, etc.)
- ☐ government failed to give prior warning of the eviction
- ☐ government failed to give community members adequate time to move their possessions prior to the eviction
- ☐ government intimidated, harassed, or falsely arrested community members who challenged the legality of the eviction
- ☐ Police failed to identify themselves during the eviction
- ☐ military police used unnecessary force to carry out the eviction
- ☐ government failed to provide alternative housing after the eviction
- ☐ government failed to provide compensation to those evicted
- ☐ Etc.



Review this sample forced evictions 'Collection Plan' for more examples of violations. Adapt this template to meet your needs.



NOTES FROM THE FIELD

PROVING ENVIRONMENTAL VIOLATIONS IN BRAZIL



BACKSTORY

In 2014 and 2016, Brazil hosted two of the world's largest sporting events: the World Cup and the Summer Olympics. Years before the events took place, and in order to build highways and venues for them, the government of Brazil embarked upon a massive forced evictions campaign targeting Black and poor neighborhoods for destruction.

Despite the tireless work of community members and activists to document and bring to light these illegal actions, the government of Brazil continued to obfuscate the harm caused by their displacement policies.

As early as 2011, reports had estimated that 170,000 people in Brazil's host cities were at risk or had already been forcefully evicted from their homes.

Over and over again, authorities discredited reports of forced evictions and denied wrongdoing. Oft-repeated phrases included:

"All the relocations are being made either through talks or courts".

"Nobody is being removed by force."

"No families are being resettled without proper compensation."

MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



CAN 114 VIDEOS TELL 1 STORY?

In 2012, WITNESS and our partners in Brazil documented, collected, and curated videos from 21 communities in order to prove:

- WHO was carrying out the policies of illegal forced evictions;
- WHAT violations related to forced evictions were reported and at which stage of eviction;
- HOW the government participated in the evictions.

The project identified 114 videos featuring forced evictions in Rio de Janeiro. Importantly, by systematizing and analyzing the violations by stage of eviction proceedings, the pattern of HOW the government was involved and which tactics they were using became clear. As a result, the communities were able to provide a direct counter-narrative to the government's repeated denials of forced evictions.

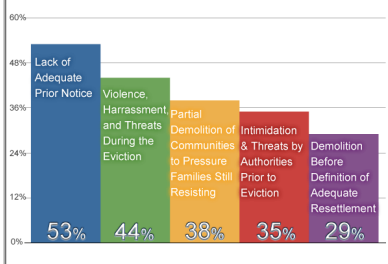
"[M]y youngest son...receives medical treatment at the Menino Jesus hospital nearby, and they want to take us out of here and send us far away without giving us a choice or alternative. First they got here spray-painting and marking our doors. Then they made us sign a report of interdiction, which we innocently signed without knowing, without having any information... we had to sign, we were pressured to do that"

- Maria Zenaide, resident evicted from Favela do Metrô

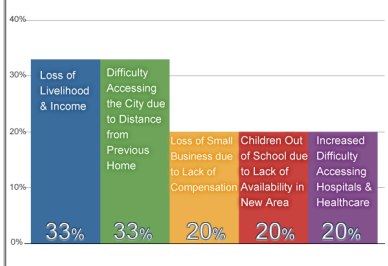
BEFORE Evictions: Most Common Violations



DURING Forced Evictions: Most Common Violations



AFTER Forced Evictions: Most Common Violations



Learn more about the project and watch the 3-minute film 114

Videos, 1 Story: The Truth About Forced Evictions in Rio de Janeiro

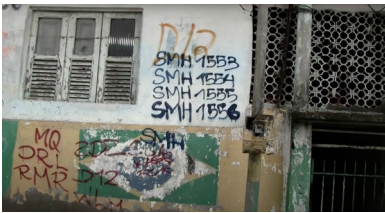
MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



Earlier in Mini Guide 3, we discussed proving the WHAT and the WHO. Let's put these skills to practice. We will now look at how Brazil's 114 Videos can be used as visuals to help prove various violations and the government's role in committing them.

PROVE: The affected person lives in a house which is subject to the forced eviction.



Numbering system for eviction proceedings Long-standing residents are evicted

PROVE: Authorities intimidated/harassed affected persons in the lead up to the eviction.



Excessive force used against residents Threats and intimidation used for compliance

PROVE: Authorities targeted favelas and failed to provide adequate alternative housing



Residents unable to afford alternatives Residents have no where to go

MINI GUIDE 3
PROVING ENVIRONMENTAL HUMAN
RIGHTS CRIMES & VIOLATIONS



COLLECTION PLAN

Efficiency

Security

Communication

STEP 3

Next, think about what evidence you will need to prove each element of a crime or material fact one-by-one by using a 'Collection Plan'.

A 'Collection Plan' is made up of three lists.

List 1, Column 1 To Prove	List 2, Column 2 Done	List 3, Column 3 To Do To Collect
<p>A list of the elements or material facts your community needs to prove</p> <p>Ideally, communities will work with people with legal training to build the list of all the items for this column</p>	<p>A list of the evidence your community has already collected or—in other words—what is already DONE</p>	<p>A list of the evidence your community still needs to collect or—in other words—your TO DO LIST</p>

For more information, **review the 'Developing a Collection Plan'** section of the *Video as Evidence Field Guide*.

MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



COLLECTION PLAN

Here is an excerpt from a Collection Plan

To Prove	Done	To Do To Collect
The company failed to provide reasonable access to ...	<ul style="list-style-type: none"> ✓ GPS coordinates of the only well in your community ✓ A map showing the location of the well and the boundaries of the community ✓ Photographs showing the only well in the community and its surroundings (see the next page) 	<ul style="list-style-type: none"> <input type="checkbox"/> A video showing the long lines at the well while community members wait for their turn to access water <input type="checkbox"/> A video of a community member pumping the water to show the physical exertion and length of time it takes to access water <input type="checkbox"/> Etc.
clean drinking water as required by the mining permit	<ul style="list-style-type: none"> ✓ Lab results from water tests ✓ Written report from an expert analyzing the lab report ✓ A photo of the water from the well before it is filtered and one after it is filtered recording the amount of time it took to filter the water 	<ul style="list-style-type: none"> <input type="checkbox"/> A video showing the color of the water as it comes out of the community well <input type="checkbox"/> Medical reports showing community members are getting ill from the water <input type="checkbox"/> Interview <input type="checkbox"/> Etc.

MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



COLLECTION PLAN

Here's an example set of photos showing what it would look like to film a community well and its surroundings.

Wide



Medium



Close-up



MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



COLLECTION PLAN

Pick one element of a crime or material fact you are working to prove. First, list all the evidence your community has already collected. Then, list all the evidence that still

needs to be collected to prove this element or material fact. Then, do this same process for every element or fact you have to prove.

To Prove	Done	To Do To Collect



Remember, it is unlikely that you will be able to collect all the information you need in a single day and location. Plan with your team to collect the information you need across multiple days and locations.

MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



Continue your ‘Collection Plan’ here

To Prove	Done	To Do To Collect



[Download a blank ‘Collection Plan’](#) that can be adapted to meet your community’s needs.

MINI GUIDE 3

PROVING ENVIRONMENTAL HUMAN RIGHTS CRIMES & VIOLATIONS



Continue your ‘Collection Plan’ here

To Prove	Done	To Do To Collect

MINI GUIDE 4

ABOUT EVIDENCE

(THE LAST OF THE LAW)



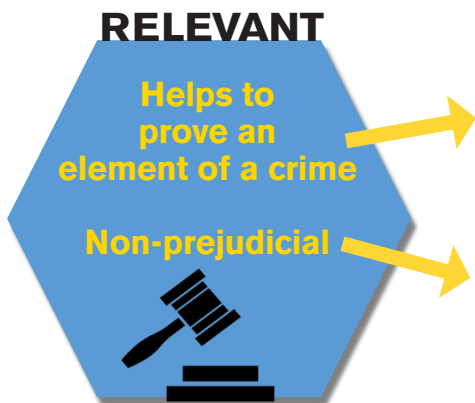


EVIDENCE CHARACTERISTICS: Introduction



IMPORTANT

For visual information captured by a documenter to become visual evidence that can be presented in a legal or advocacy process, it must be **relevant** and **reliable**.



Evidence is relevant if it helps to prove or disprove a fact that is in question in an investigation or at trial. It does not need to make the fact certain, but it must at least increase or decrease the likelihood of some fact.

Even if evidence proves an element of the crime, a judge may still exclude evidence from the courtroom if the evidence is prejudicial. Evidence is prejudicial if it provokes emotional bias or misleads or unfairly sways a judge or jury.



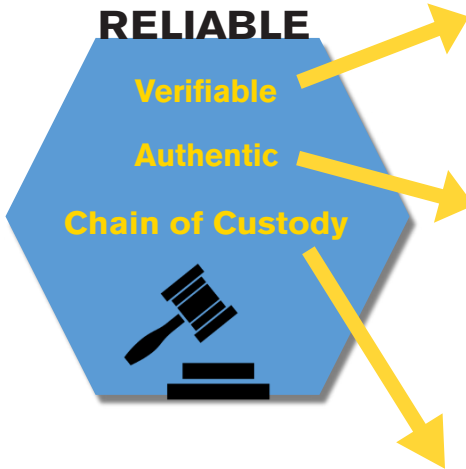
To collect RELEVANT information you need to know a little more about the law and your rights. For more information, **review the 'All About Evidence' section of the *Video as Evidence Field Guide*.**



EVIDENCE CHARACTERISTICS: Introduction

IMPORTANT

For anyone to rely on your footage — the media, human rights commissioners, decision-makers, and courts — your footage must be trustworthy. When a lawyer submits video evidence to court, he or she must be absolutely sure the video shows what the lawyer says it shows.



Verification is the process of confirming that the video is what it claims to be and was taken at a specific time, date, and location. This helps the media, human rights advocates, investigators, analysts, and lawyers trust the substance of the video and use it to piece together the full story.

Authentic means that the original video file is free of any sort of manipulation, including changes of filename, additions, deletions, editing, or corruption, and that it was properly saved and passed along in its original format to investigators.

Even if evidence proves an element of the crime, a judge may still exclude evidence from the courtroom if the evidence is prejudicial. Evidence is prejudicial if it provokes emotional bias or misleads or unfairly sways a judge or jury.



To collect **RELIABLE** information you need to know some techniques for filming and taking pictures. For more information, [review the 'Filming Secure Scenes' section of the Video as Evidence Field Guide.](#)



EVIDENCE CHARACTERISTICS: Reliable

First, let's take a quick look at ideas for how to make photos and videos reliable. Here is an example based on a real scenario but with altered details to protect security.

Wide



Close-up



Medium



This example from the bauxite region in the Republic of Guinea shows three techniques that can be used to help make visual documentation easy to verify.

First, as documenters we will want to record wide, medium, and close-up images.

Second, include a time and date stamp

Third, complete a 'Camera Report' (fictional excerpt shown on the next page)



EVIDENCE CHARACTERISTICS: Reliable

Excerpt

Camera report	
Incident (briefly describe the content of the video footage or photographs) Emissions from a bauxite treatment plant operated by Compagnie des Bauxites de Guinee (CBG)	
Date the video was taken (specify day, month and year) 7 September 2015	Precise start and end time of the video Between 10:30 and 11:30 am
Location (add as many details as possible, street or place name, and GPS coordinates if available) Kasmar, Republic of Guinea near the confluence of the Nunez River and the Atlantic Ocean GPS coordinates 10.6436045, -14.6141421	
Include only non-confidential information	
Name and contact information of the person filming Waldo Swiegers, wsw@gmail.com, +28 (48) 284 3029	
Name and contact information of the person in charge of the documentation (if different from the person filming) Waldo Swiegers	
Names and contact information of others who may have information about the incident W. Sweigers was photographing the site alone but community members in Kasmar have extensive information about the operation of the plant. To speak with the community contact: Ousmane Aminata Bangoura, ADREMGUI, (+224) 622 07 69 23	
Other relevant details on the content of the video (optional) Local leaders have expressed concern about the impacts of emissions on air quality, community health, and the health of agricultural resources in and around Kasmar.	

Next, let's look at what make an image relevant.



For many more good practices on how to film and photograph so your documentation can be easily verified, see Mini Guides 5–8.



EVIDENCE CHARACTERISTICS: Relevant

The mining company Société Minière de Boké (SMB) secured permission to mine for bauxite in the Republic of Guinea. The Environmental Impact Assessment (EIA) requires that SMB restore its mining sites when its operations are complete.

Your Goal: Prove SMB failed to restore its mining sites.

Visual Evidence: Here are some examples of relevant and irrelevant visuals.



Photos: Kelly Matheson | WITNESS

Relevant

All the photos below were taken at a mining site near Boké, Republic of Guinea where SMB has completed mining. SMB was required to restore this site. The photos show SMB's efforts.

MINI GUIDE 4

ABOUT EVIDENCE



Irrelevant

This photo below is of land near Dapilon village, near Boké, cleared for the construction of a mining port belonging to SMB.



Photo: Human Rights Watch

The photo above is of a mining road belonging to the SMB that is blocking a stream, diverting the water's course and reducing water levels in local wells.



Photo: Human Rights Watch

These photos are irrelevant to proving SMB's restoration failure. Since SMB cleared these lands for easier access to the mining site and did not directly mine on these lands, the EIA does not require these areas to be restored. These photos could, however, help prove other violations.

MINI GUIDE 4

ABOUT EVIDENCE



EVIDENCE CHARACTERISTICS: Relevant

Here is another example. Imagine you are working to document illegal logging and you come across this site. If it is safe, capture the visual information highlighted in the graphic below. Your visuals could become relevant documentation to help prove that a crime took place and help identify who committed the crime.





NOTES FROM THE FIELD

BARBUDA V BILLIONAIRES

THIS EXAMPLE SHOWS HOW A COLLECTION PLAN CAN BE USED TO LIST THE ELEMENTS AND MATERIAL FACTS OF AN ENVIRONMENTAL CRIME OR VIOLATION. THEN, IT SHOWS HOW TO LINK THEM TO RELEVANT VISUAL DOCUMENTATION THAT STILL NEEDS TO BE COLLECTED.



Photo: allabouttravelling.com



Billionaires are displacing Barbudans from their land, bulldozing the coast for high-end real estate developments, and decimating natural resources in the process. [Learn more here](#) about how to support the Barbuda community and their fight to stop this destruction.



BACKSTORY

In 2017, Hurricane Irma damaged over 90% of the structures on the Caribbean island of Barbuda. The Government of Antigua and Barbuda took advantage of the damage as an excuse to mandate the evacuation of the entire community. With the island emptied of witnesses, the Government started clearing land to build an unauthorized airport for private international flights. The Government also adopted new laws.

In essence, these new laws allowed for vast areas of land to be sold to foreign billionaire investors. The Government also gave these billionaires the rights to build high-end real estate developments for the rich and effectively lock residents out of community land. This is called 'disaster capitalism', where, as Naomi Klein describes, 'there are people with power who are cashing in on chaos'. This is not development. It is exploitation.



EVIDENCE CHARACTERISTICS: Relevant

While the list of the Government of Antigua and Barbuda (GOAB) illegal actions is incredibly long, let's look at the airport. As part of this land grab, the new international airport has been built on forest lands used for hunting and farming by island residents. To stop construction and operation of the airport, the community will want to build an evidentiary record that proves the Government's failure to consult the community in the first place, as well as a series of other facts. For example, they may need to show how the airport will result in the loss of community land, pollution, destruction of habitat, and changes in wildlife patterns. Here, let's only look at how to prove the first key fact: the Government allowed the construction of the airport.

Element or Material Fact you would like to document	Relevant images that could help prove the element or material fact, if safe to capture
The GOAB allowed construction of an international airport on the island of Barbuda	<ul style="list-style-type: none">• Blueprints of the plans for the airport• Maps showing the location of the airport• Satellite imagery showing area before construction began• A series of satellite imagery showing how construction progressed over time• Series of drone footage showing how the construction progressed over time (if possible)• Photos or video showing fences preventing public entry to the site• Drone footage, photos and/or videos of new roads• Photos and videos of who is using the airport including tail numbers of planes and helicopters• Construction machinery at work showing the types of machinery and registration numbers• Photos or video showing who is operating the construction machinery



EVIDENCE CHARACTERISTICS: Relevant

Once you have your list, collect the visuals. Here's some examples:



Photo: Google Earth

Google street cam image showing airport runway under construction, March 2018



Aerial photo of the runway, date to be determined



Photo: Instagram

Aerial photo of the runway, likely taken in December 2021



Photo: Antigua Observer

Crater at the airport construction site, date to be determined



Photo: Antigua News Room

Construction machinery working at the airport site, early 2018



Think in their shoes: next steps

Once the community has identified relevant images to prove that the Government allowed construction to take place, they will want to move on to the next element or material fact. Next, the community Next, the community will want to build a similar list of evidence to prove why the airport was 'unauthorized' in the first place and prove all the environmental and human rights harms that result from the airport's construction and operation.

MINI GUIDE 4

ABOUT EVIDENCE



Now, pick one environmental crime, environmental violation, or resulting human rights violation affecting your community. Make a list of the relevant images that would help prove this crime or violation or the separate elements and facts you will need to prove.

Write or draw a violation, crime or material fact you would like to document?



Or ... draw the types of images you that would help prove this crime, violation, elements or facts you will need to prove.

MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES



STEP 4



horizon with
sun or moon

STEP 5



360°

STEP 6



wide

STEP 7

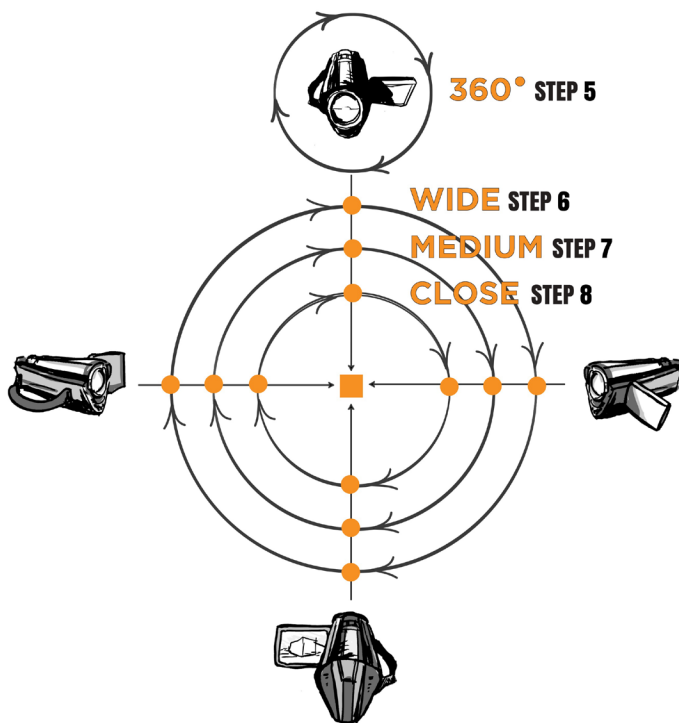


medium

STEP 8



close up



For more information, [review the 'Filming Secure Scenes'](#) section of the *Video as Evidence Field Guide*.






MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES








FILMING IN SHORT: Checklist






Before

-  ☐ Make a Security Plan
-  ☐ Charge your camera
-  ☐ Set the camera date & time accurately
-  ☐ Develop a Collection Plan
-  ☐ Understand your right to record

During

-  ☐ Check the security of scene
-  ☐ Make a documentation plan at the scene
-  ☐ Add information (see next page)
-  ☐ Record overview, horizon, and 360° shots
-  ☐ Record relevant wide, medium, and close-up images

After

-  ☐ Recheck security
-  ☐ Download your images off your camera or phone and upload them to a safe place
-  ☐ Supplement with maps, drawings, drone footage, or satellite imagery as needed
-  ☐ Complete a Camera Report
-  ☐ Archive your images



Archiving is a pivotal step to ensure that your footage can serve justice in the long-run. For more in-depth information about this process, [review the Activists' Guide to Archiving](#).

MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES



FILMING: Adding information

Use the camera microphone or a piece of paper—known as a 'slate'—to add as much of the following information as you can safely and securely include. If you need to leave details out, that is okay. Security comes first.

STEP 1

Add 'When, Where, and Who'

Begin by recording the date, time, precise location, your name, your contact information, and the names and contact information of other individuals that may have information about the incident.

STEP 2

Add 'How' you will film

Help anyone watching your video understand what they are seeing by describing how you are filming the scene – from north to south, clockwise, from above the scene, etc.

STEP 3

(Optional) Add information about 'WHAT' is being filmed.

If appropriate for your situation, add a concise and factual description of the human rights content the viewer sees in the recording.

STEP 4

(Optional) Wrap-Up filming

End by stating the time you completed filming.



Adapt as necessary to fit your situation. Provide only factual information. Leave out unsupported opinions and emotion. If you need to film anonymously, use a 'slate'.

MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES



FILMING: Adding information

If the security situation permits, here is a sample script to adapt. Print this out and carry it in your documentation kit.

When?	Where?	How	Who?	Who else?
				

This video footage was filmed on _____ [day] _____ [month] _____ [year] at _____ [time]
at _____ [specific location] in _____ [city]
_____ [state/province] _____ [country].
The GPS coordinates are _____ [if you have them].

I will film _____
[describe how you will film the scene before or while you are filming]

My name is _____ [full name]. I go by _____ [any aliases].

I can be contacted via _____ [organization if you have one and full contact
information especially email and phone number].

Other people who are here on scene with me and who may have relevant information about
the incident are: _____ [full name] _____ [contact information]
_____ [full name] _____ [contact information]

I finished filming at _____ [time][am or pm]



For more information, **review the 'Adding Essential Information' section**
of the *Video as Evidence Field Guide*.

MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES



FILMING: Adding information

Here is a simple example filmed at the site of bauxite mining in the Boké Region of the Republic of Guinea.



© Credit

Who?



When?



While recording the documenter states,

'My name is Isabelle Mbaye. I work for the organization WITNESS. I could be contacted by email at isabelle@witness.org. This video footage was filmed on 14 April 019 at 6:32. I am 14 kilometers from the city center of Boké in Guinea. I will begin filming looking south of my position. The West. The North. And, I return to my starting position. I then finish filming at 6:33.'

Where?



How



Watch this 90-second video and listen to how the videographer added key information. Consider how the filmer could have added more information so we would know the exact location.

MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES



FILMING: Adding information

Here is a 'slate' to print out and use. Adapt this to meet the needs of your organizations and address security concerns.

Documentation Mission:	Date / Time:
Specific Location (with GPS Coordinate if Available):	
WITHIN THE CONFINES OF SAFETY & SECURITY	
Videographer Name & Contact Information	
Investigator Name & Contact Information (if present)	
Comments including names and contact information of others who may have information about this incident	



[Click here to download](#) a blank slate that you could adapt to meet your community's needs.

MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES



FILMING: 10 Steps for Filming a Crime Scene or Violation Zone

STEP 1

Ensure the location is safe for filming

STEP 2

Make a filming plan

STEP 3

Add preliminary information (with your voice or a slate)

STEP 4

Film an overview shot and the horizon

STEP 5

Film a 15-second, circular 360° shot

STEP 6

Film 10-second wide shots from four points

STEP 7

Film 10-second medium shots from four points

STEP 8

Film 10-second close-up shots of key evidence

STEP 9

Complete a Camera Report

STEP 10

Supplement video with maps, photos, hand-drawings, etc.



For more information, [review the 'Filming Secure Scenes' section of the Video as Evidence Field Guide.](#)

MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES



FILMING: 10 Steps for Filming a Crime Scene or Violation Zone

STEP 1

Ensured the location is safe
for filming

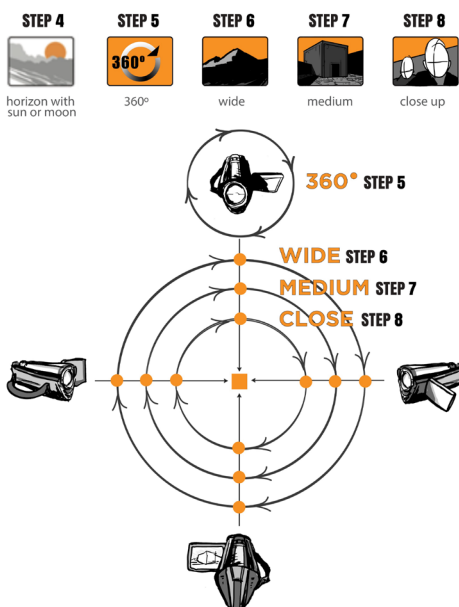
STEP 2

Made a filming plan

STEP 3

Added preliminary information with
your voice or a slate

Here's a diagram of the Steps to help
you remember:



Remember to adapt this approach. For example, when filming a crime or violation in progress, it is important to keep your camera focused on the activity. This means you may not be able to film a 360° shot. Instead, capture as much visual information as possible to verify the location without turning the camera away from the activity.

MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES



FILMING: Examples of Shot Types

Below: Images documenting/showing child labor at a cobalt mine in the Democratic Republic of Congo

☐ **Horizon & overview**



☐ **Wide shot**



☐ **Medium shot**



☐ **Close-up shot**



Below: Images showing the discovery of trade in illegal ivory by customs authorities in Vietnam

☐ **Overview**



☐ **Wide shot**



☐ **Medium shot**



☐ **Close-up shot**



MINI GUIDE 5

HOW TO FILM CRIME SCENES & VIOLATION ZONES

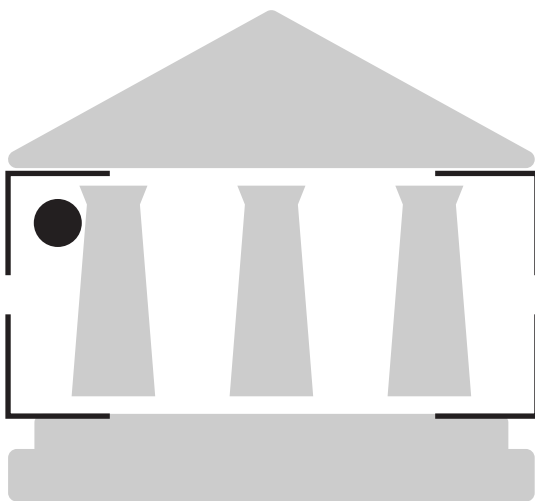


FILMING: The Right to Record

When evaluating whether the scene is safe and making a filming plan (Steps 1 & 2), you may ask yourself: 'could I get in trouble for filming?' Or, 'am I even allowed to film here?' These are great questions, and at their core is a consideration of whether or not you have the right to record.

The right to record primarily refers to the right to take out a camera or cell phone and film the military and law enforcement without fear of arrest, violence, or other retaliation. WITNESS also believes that the 'Right to Record' should apply to anything happening in a public space, including the right to document public proceedings of elected officials, something that is widely prohibited across the world.

The 'Right to Record' is clearly protected under international human rights standards such as the Universal Declaration of Human Rights and the the International Covenant on Civil and Political Rights that protect freedom of expression, freedom of assembly, and the right to information. In some countries, such as the United States, the right to record is legally recognized. In others, such as Saudia Arabia and many of its neighbors, recording law enforcement and other government officials is expressly prohibited. And in other places, like most of the European Union, the law is unclear.



MINI GUIDE 5

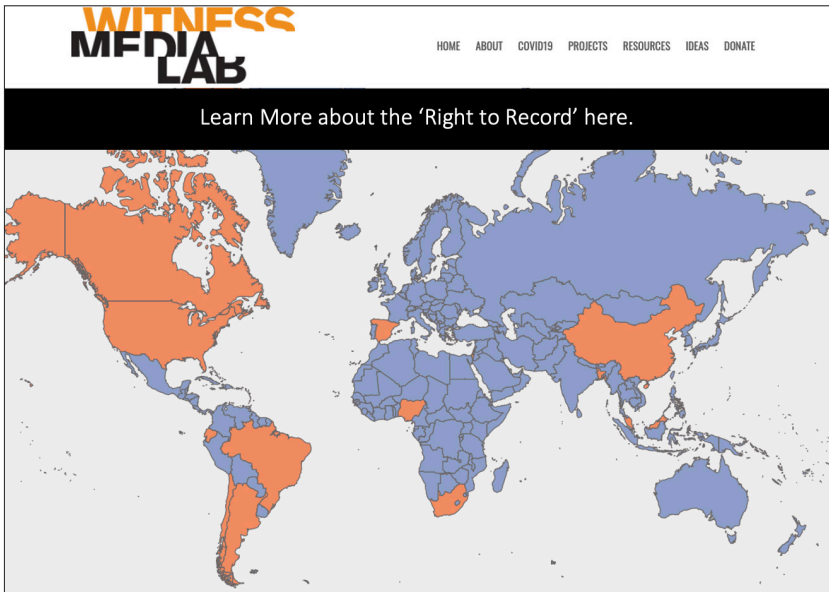
HOW TO FILM CRIME SCENES & VIOLATION ZONES



FILMING: Understanding the Right to Record

Since the 'Right to Record' differs from country to country, it is impossible to provide detailed guidance. However, if you plan to document environmental human rights violations, learn about your 'Right to Record' in the country you are documenting in. WITNESS' Right to Record page is a good place to start to find out more about:

- What the right to record is
- Why it is essential for human rights
- What laws and policies support the right to record at domestic and international levels
- How human rights defenders can exercise this right safely and effectively



Learn about your right to record in the country you are documenting in here
lab.witness.org/projects/right-to-record/



LAW VS PRACTICE RIGHT TO RECORD



THE LAW

Some countries legally recognize the Right to Record, others expressly prohibit it. In countries such as Brazil, the law is unclear. There is no specific law that grants Brazilians the right to film police and public officials.



Activists and human rights scholars assert that the

right to record is guaranteed by Articles 4, 5, 8, 9, and 220 of the Brazilian Constitution. Compare this to the United States, where the law is settled under the First Amendment to the Constitution. This law protects the right to record public officials in the course of their duties. However, while the law is clear, filming in practice can still be risky.

IN PRACTICE



State forces in Brazil, especially local police, impede the recording of police activity on the regular. This is done by harassment and intimidation, arrests, and the confiscation of cameras and equipment belonging to peaceful documenters, human rights activists, and journalists.

Remember, even if our right to record is legally guaranteed, that may not prevent security forces from interfering with our filming, confiscating our equipment, or even arresting us. Plan accordingly.



Watch the 1-hour livestream discussion and learn from the WITNESS team about how the Right to Record is practiced around the world.

MINI GUIDE 5

HOW TO FILM CRIME SCENES
& VIOLATION ZONES



SAMPLE CAMERA REPORT

PAGE 1 – Adapt this to meet your needs

Camera log / Camera report		
Date Report Completed		
Mission or Case # (if applicable)		
Date & Time Video and Photos Collected		
Specific Location Visuals Collected (Include GPS Coordinates if possible)		
City, Country		
Camera Person Name and Contact Information		
Model of Camera		
Content Summary Please provide a short description of the events and actions shown in the footage, including background or context, precipitating events, people present, and any other key information.		
Language/s spoken in the video		Translated: <input type="checkbox"/> Yes <input type="checkbox"/> No
Collection Notes For example, include if an object was moved, safety limitations, your thoughts on the credibility of witnesses, lessons learned, next steps, and any other important and relevant observations that you cannot capture on video.		
Corroborative Information For example, describe any documents collected, testimony given, maps drawn, sketches made, that help corroborate what is shown in the videos or photos.		
Your Impressions about the evidence For example, include any first impressions of how the content can support the points to prove outlined in your Collection Plan.		

MINI GUIDE 5
HOW TO FILM CRIME SCENES
& VIOLATION ZONES



SAMPLE CAMERA REPORT
PAGE 2 – Adapt this to meet your needs

Shot, Filename or Hash	Length (if possible)	Short Description of Content	Security
Filmer Signature:			Filmer Thumbprint (if application in your jurisdiction)
Date:			



Download this Camera Report template. Then, modify it or create your own. Also see the example in Mini Guide 4, page 53.

MINI GUIDE 5
HOW TO FILM CRIME SCENES
& VIOLATION ZONES



FILMING: Test Your Knowledge

What are the 10 Steps for Filming a Crime Scene or Violation Zone?
Write or draw the answer for each step.

STEP 1

STEP 6

STEP 2

STEP 7

STEP 3

STEP 8

STEP 4

STEP 9

STEP 5

STEP 10

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MINI GUIDE 6

DOCUMENTING INJURIES



CONTENT WARNING

This Mini Guide includes a discussion and references of injuries inflicted on human rights defenders.

MINI GUIDE 6

DOCUMENTING INJURIES



It may be hard to understand when it is appropriate to collect visual evidence of injuries. Here are some common injury situations for which we may want to collect visual evidence:

Injuries of an individual in a safe setting and separated from the incident that caused the injury. This separation can mean that time has passed since the injury happened, and/or that there is geographic distance from the location of the incident.



TAKE PHOTOS (GENERALLY)

For example, injuries resulting from:

- ☐ Small-scale industrial accidents injuring one or a few people such as:
 - ☐ small explosions & fires
 - ☐ equipment failure
 - ☐ vehicle accidents involving company vehicles
 - ☐ small toxic spills
 - ☐ falls
 - ☐ electrocution
- ☐ Slow onset health problems caused by polluted air or water
- ☐ Violence targeting a single individual or small group related to extractive industries

Injuries affecting a larger number of people during or in the immediate aftermath of a mass injury incident typically at the scene of the incident.



RECORD VIDEOS (GENERALLY)

For example, injuries resulting from:

- ☐ Large-scale industrial accidents such as:
 - ☐ big industrial explosions & fires
 - ☐ landslides near industrial sites
 - ☐ collapse of a mine
 - ☐ failure of a dam
 - ☐ large toxic spills
 - ☐ train derailments
 - ☐ building collapse
 - ☐ gas leaks
- ☐ Excessive force used against human rights defenders during peaceful protests

Next, let's look at some examples.



WHEN TO PHOTOGRAPH INJURIES



NOTES FROM THE FIELD **STANDING ROCK**

In spring 2016, a group of young Indigenous members from the Standing Rock Reservation in the United States started a movement that caught the world's attention. The movement brought together environmental defenders from across Indigenous nations to North Dakota, U.S.A. to stop the Dakota Access Pipeline. Defenders established a Water Protectors' camp as the center for direct action and spiritual resistance to the pipeline. As conflict between the Water Protectors and law enforcement

escalated throughout the summer and fall, hundreds of defenders suffered injuries. A group of volunteer medical professionals set up a tent to provide emergency medical response to injured defenders.

Take photographs to document individual injuries relevant to your human rights work only after the person is removed from harm, secure, stabilized, and able to consent to having their injuries photographed.

Illustration based on injuries to protestors caused by rubber bullets and bean-bag





WHEN TO FILM INJURIES



NOTES FROM THE FIELD

STANDING ROCK

On 20 November 2016, law enforcement officers pointed water cannons, teargas, rubber bullets, and other 'less than-lethal' weapons on unarmed human rights defenders protesting against the Dakota Access Pipeline at Standing Rock. The temperature was below freezing. Volunteer medics reported that twenty-six people were hospitalized and more than three hundred injured in the clash.

If possible to safely and ethically record, use video to document situations that are likely to result in mass injuries during and in the immediate aftermath of the incident. Photos of individual injuries can be taken later once the violence ends and injured defenders are stabilized.



Learn more about the Dakota Access Pipeline protests.

Watch a one-minute clip showing footage of a mass injury situation.



MINI GUIDE 6
DOCUMENTING INJURIES



Generally, only trained medical examiners should take photographs of physical injuries. Community-based documenters can proceed with photographing if, and only if, they can answer 'yes' all ALL of the following:

- I will follow the 4 rules below
- I will honor the 3 key principles on the next page
- I will thoughtfully use the basic photography techniques summarized in this Mini Guide

then, community members could photograph injuries not located in intimate areas of the body and only with the express permission of the injured party.

Checklist: 4 Rules that MUST be followed

✓		First and always move the victim to safety and secure medical attention
✓		Never photograph injuries located on intimate areas of the body.
✓		Only collect photographs of injuries after securing informed and express consent of the injured party and addressing any safety concerns they have.
✓		Do not photograph injuries inflicted on a person who cannot give consent including children and persons who are intellectually disabled.






For more information about Informed Consent see:

- **'Testimony: Filming Preliminary Field Interviews'** section of the *Video as Evidence Field Guide*
- **This informative 3-minute video** from Physicians for Human Right (PHR)



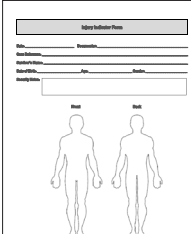
Checklist: 3 Key Principles

✓		Unless it is a mass injury situation, take photographs instead of video.
✓		When possible, do not photograph a person's injuries on your own. Instead, document in a team of two. Documenters should be the same gender as the injured person.
✓		Before and/or after photographing a person's injuries, document other evidence and collect additional information to help explain what caused the injuries and the extent of the injuries [e.g. filming the crime scene, medical reports]

About Other Evidence



If possible, film the crime scene using the the 10 Steps summarized in Mini Guide 5 or **'Filming Secure Scenes'** in the *Video As Evidence Field Guide*.



Consider using a form to collect additional information about the person's injuries. Your decision will depend on:







- whether you can keep this information secure and confidential, and
- your organization's policies on collecting medical information about individuals

A blank 'Injury Information' form can be found at this end of this Mini Guide.



How to Photograph Injuries

Here is a way to adapt the the 10 Steps summarized in Mini Guide 5 when photographing a person's injury in a secure setting.

STEP 1		✓ Secure Informed Consent and address any safety concerns. (See Mini Guide 8)
STEP 2		✓ Take a photo of the survivor's face for identification purposes. Alternatively, photograph their identification badge.
STEP 3		✓ Take a wide shot of each side of the body where there is an injury.
STEP 4		✓ Take medium shots of each side of the body where there is an injury.
STEP 5		✓ Take close-up shots of each injury exactly how you see them and without any additional information. The legal word for this is 'in situ'.
STEP 6		✓ Take close-up shots of each injury with a scale.

MINI GUIDE 6

DOCUMENTING INJURIES



Example Photo Set

Here is an example of the set of photographs you would take—after securing consent—of a survivor with injuries to his head and arm. These photographs are clearly of fake injuries as they were taken by human rights defenders during a training.



Identification



Wide



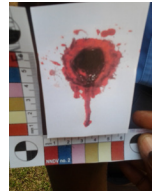
Medium



Close-up



Close-up



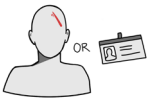
MINI GUIDE 6

DOCUMENTING INJURIES

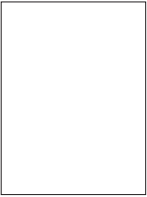


TEST YOUR KNOWLEDGE: Photographing Injuries

A mining company located near your community started using explosives without warning. Rocks from the blast hit your friend. The rocks cut her left knee and the left side of her lip.



**Photo for
I.D. purposes**



Or



**Wide
(full body)**



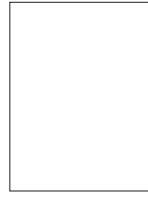
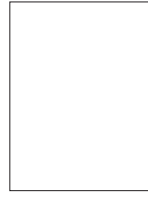
Medium



**Close-up
'in situ'**



**Close-up
with scale**





Applying the technique to other situations

Extractive industries not only injury community members, they also harm the essential resources that communities depend on for shelter, livelihoods, food, water, security, and even life itself. The same steps used to document injuries to community members can be used to document harm to essential resources. Here are some examples.

- If a tree has been illegally logged, we can document the cut to the tree using the same technique that we would use to document a cut suffered by a person.
- If the livestock we depend upon for our livelihood suffers from the same skin irritations as community members suffer from, we can document the irritations on the animal just as we would a skin irritation on a person.
- If the crops we depend on for food security fail due to the poisoning of land, air, or water, we could document the loss of individual crops as we would the loss of life.

When the need to document injuries and harm arises, think creatively about how to apply the steps outlined in Mini Guides 5, 6, and 7 to collect powerful visual documentation of all the injuries and harms caused by extractive industries. Next, let's look at a Note from the Field that illustrates how the actions of extractive industries both injure people and harm essential resources.





NOTES FROM THE FIELD

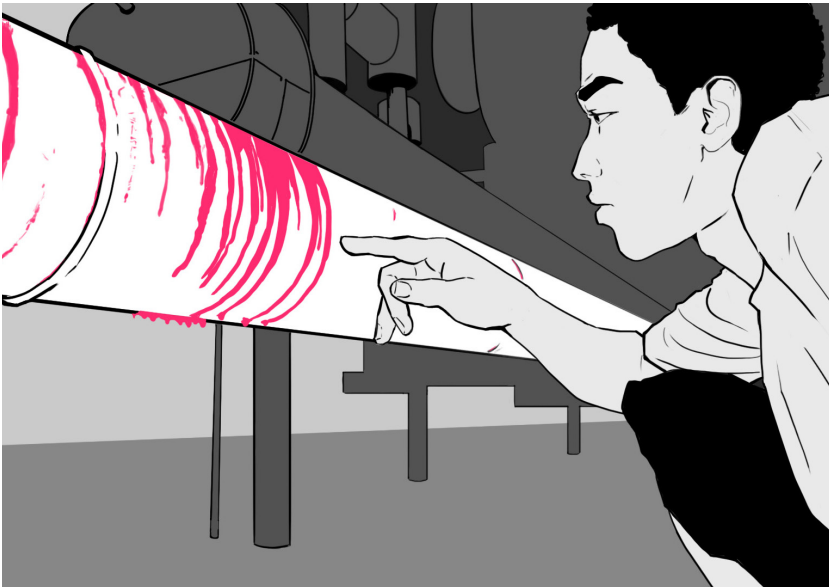
SUDAN'S OIL WARS

BACKSTORY

Around the world, extractive industries arrive and simultaneously injure people and the essential resources communities rely upon for their very survival.

In 1997, an international group of oil companies—the Lundin Consortium—signed a contract with the government of Sudan allowing the Consortium to exploit oil in an

area named 'Block 5A' in the southern part of the country. To communities, the area had always been known as Unity State. The start of oil exploitation set off a brutal war for control of the oil fields in the area.





NOTES FROM THE FIELD (CONTINUED)

SUDAN'S OIL WARS

INJURIES AND HARMS

Over this six-year conflict thousands of community members died, incalculable numbers suffered injuries, and enormous harms were inflicted to community resources. The total number of violations will never be known but after in-depth research the European Coalition on Oil in Sudan (ECOS) shared these estimates of the injuries and harms.

Injuries inflicted on community members included:

- The death of over 12,000 people from unlawful killings, hunger, exhaustion, or conflict-related disease
- Injuries received from torture, abduction, rape, or other violent attacks on communities by helicopter gunships, bombings, and heavily-armed ground troops
- Injuries and sickness resulting from forced displacement made worse by food insecurity and lack of medical care

Harms to community resources included the:

- Burning of over 6,000 shelters known as 'tukhuls' in Sudan
- Burning of shelters for animals known as 'luaks'
- Burning and complete destruction of fields of maize, pumpkins, beans, sorghum, groundnuts, and more
- Cutting of mango trees
- Destruction of food stocks including grain reserves
- Breaking of farming and fishing utensils
- Intentional killing of livestock by armed groups and the death of livestock during forced evictions





NOTES FROM THE FIELD (CONTINUED)

SUDAN'S OIL WARS



'On the day we were displaced ... soldiers came in big numbers, 15,000 They arrested the Chiefs. They fired at everybody. They killed many.'
~ Rebecca Nyandair Chatiam Deng, Unity State, Sudan

'We went to the place [they] showed us. Walking, it took us three hours. This place is not good for us. It is called the Guk. It is full of water. It is very muddy when the rain comes There are a lot of mosquitoes We lost fifty cows during the move, some of them died and some of them were lost on the journey. Even now my chest sometimes still pains me from carrying all those things, some things on my head, on my back and in my hands.'
~Mary Chabak, Unity State, Sudan

'The loss of cattle has deprived children of their most important nutrient, milk. One result is a high rate of malnutrition and a decrease in a child's immunity which leaves them more vulnerable to disease.'
~The European Coalition on Oil in Sudan



NOTES FROM THE FIELD (CONTINUED)

SUDAN'S OIL WARS



© Sharon Hutchinson

A burnt tukhul near Kuac, February 2003

Today, the communities of Unity State are seeking appropriate compensation for all persons whose human rights—including the rights to personal security, shelter, livelihoods, natural resources, development, culture, and life—have been injured in the war for control over Sudan's oil fields.

Think about this community's fight—and your own— to secure compensation and the right to redress. What role does visual documentation play? Consider:

- the ethical challenges of collecting visual documentation
- the security challenges of collecting visual documentation
- if safe and ethical to document, how to best use the techniques in this Guide.



For more information **read the report** 'Unpaid Debt: The Legacy of Lundin, Petronas and OMV in Block 5A, Sudan 1997 - 2003'.



Injury Information Form

Injury Indicator Form

Date: _____ Documenter: _____

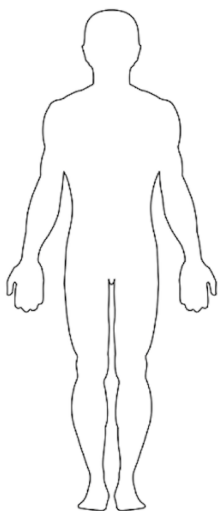
Case Reference: _____

Survivor's Name: _____

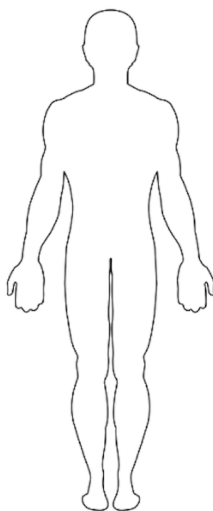
Date of Birth: _____ Age: _____ Gender: _____

Security Notes:

Front



Back



If needed, print this form out include put it in your documentation kit.
Also available [here to download](#).

MINI GUIDE 6

DOCUMENTING INJURIES

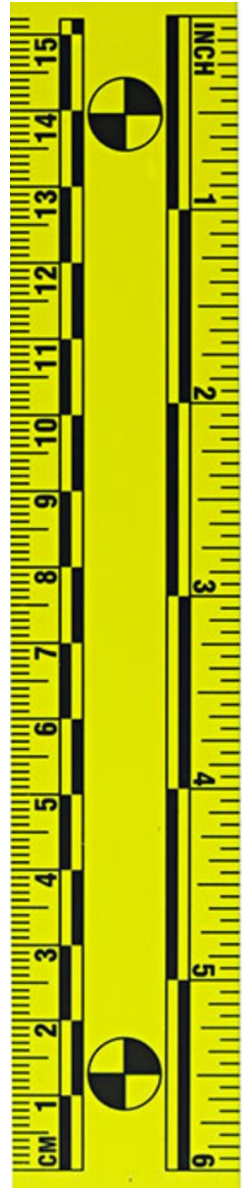
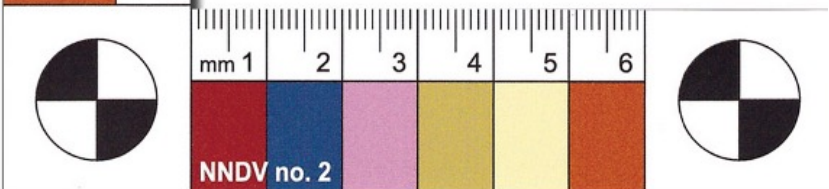
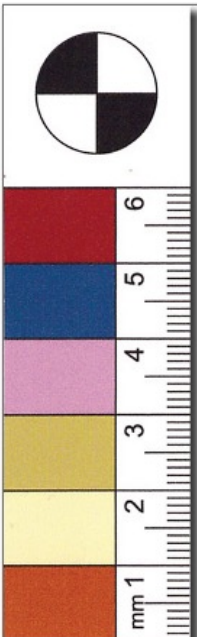
Evidence Rulers



If you don't have a ruler, no problem. Use a common object such as a pen, cell phone, currency, etc.



Print this page on A4 paper. Cut out the rulers and include them in your documentation kit. Check to be sure a cm is a cm on your printed version. Adjust as needed. Also [available here to download](#).



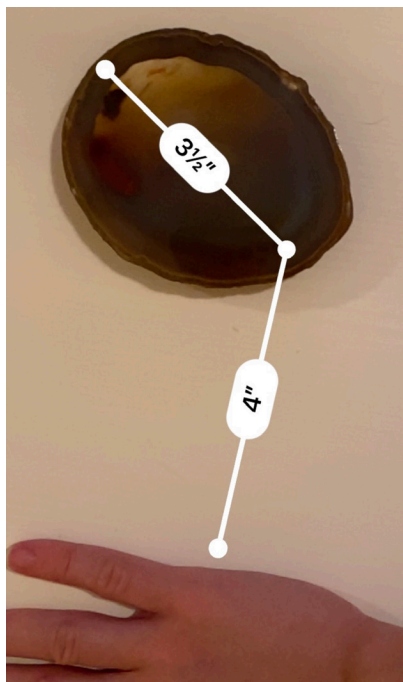


Evidence Rulers

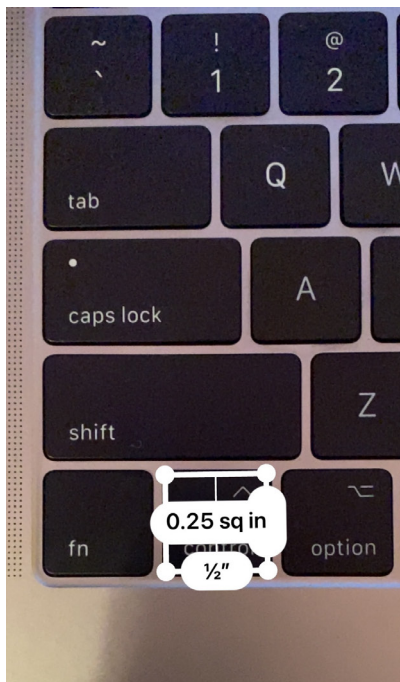
Thanks to advances in technology, your phone can now help show scale. Both Android and Apple phones have 'digital evidence ruler' applications which can help you with close-up shots. Below is an example from the iPhone Measurement application.

These applications allow you to:

- measure the width, length, or height of an object
- measure the area of an object
- calculate the distance between objects



Measurement of an object's length, and its distance from an additional custom reference point (hand).



Auto-detect feature used to quickly capture dimensions of an object (keyboard button).

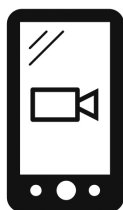


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MINI GUIDE 7

HOW TO FILM BIG VIOLATION ZONES



For more information, [review 'Filming Secure Scenes'](#) in the *Video as Evidence Field Guide* and Mini Guides 5 and 6 in this series.

MINI GUIDE 7

HOW TO FILM BIG VIOLATION ZONES



If the crime scene covers a large area, all we have to do is adapt the Spiral Approach.



Satellite Imagery will be our wide shots



Drone (or aircraft) footage provides the ideal medium shots (if available)



Our photos & videos will be the close-up shots

Here's an example from a bauxite mine in the Republic of Guinea.



Satellite imagery, drone footage, along with photos and videos from the ground give us different levels of information. Together, they help tell the bigger story. For example, ask yourself, if you only had the photo of a license plate, what would you know? Really, not much. If you only had the satellite imagery, what would you know? Again, not much. One piece of visual evidence will never tell the full story but together, we can better understand what is happening.

MINI GUIDE 7

HOW TO FILM BIG VIOLATION ZONES



10 Steps For Filming Checklist: In the Field

STEP 1

Ensure the scene is safe for collecting video and photographs

STEP 2

Make a filming & photography plan

STEP 3

Add Preliminary information (date, time, location, filmer, contact information, others present, see Mini Guide 5)

STEP 4

Record a 15-second 360° shot from the center of the violation zone. Include the horizon line and landmarks if possible.

STEP 5

Capture relevant wide shots of the area with video or photographs

STEP 6

Take medium photographs of relevant content

STEP 7

Take close-up photographs of key content exactly as you see it, fthe legal word for this is 'in-situ'

STEP 8

Take photographs of key close-up shots showing size & scale

Checklist: Back from the Field

STEP 9

Complete a Camera Report

STEP 10

Gather supplemental information (maps, drawings, satellite imagery, drone footage, names of people at the location who may have relevant information, etc.)

MINI GUIDE 7

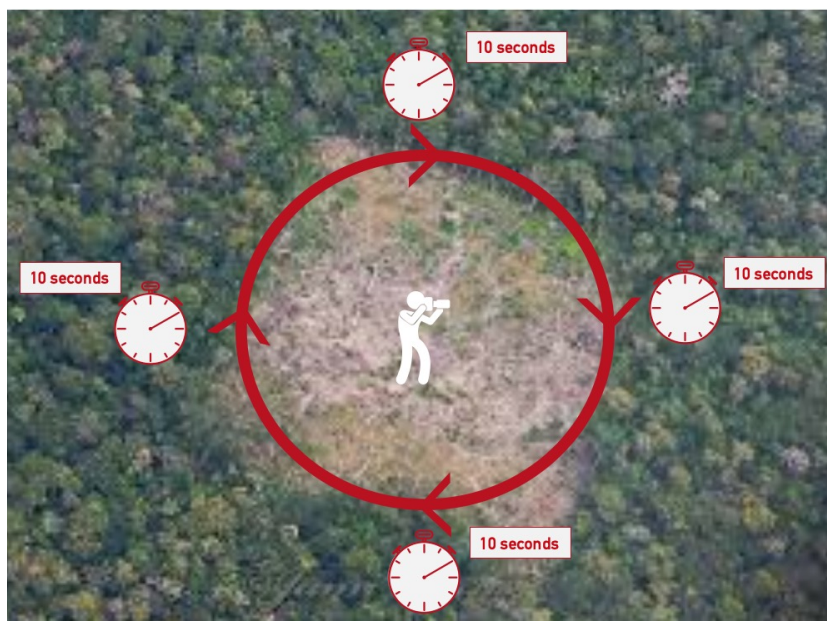
HOW TO FILM BIG VIOLATION ZONES



Illustrating Step 4

STEP 4

Record a 15-second 360° shot from the center of the violation zone. Include the horizon and landmarks if possible.



Watch a 90-second video to see how a documenter filmed a 360° shot from the middle of a violation zone in Guinea.



VIDEO FROM THE FIELD

STEP 4

Watch: [The 1-minute 360° video.](#)

Ask: What information is needed so anyone viewing this series of photographs could better understand what was being shown and why the content matters for human rights? Note: Since this is a series of still photographs, audio cannot be added but a photo of a piece of paper with key information known as a 'slate' could be added.

Why this video matters: This video was taken in a community near Ruashi Mine—an open-pit copper and cobalt mine—in the Democratic Republic of Congo. The hill seen in the view to the south is not natural. It is waste from the mine. The other views show how close the toxic waste pile is to the community.



View to the South



View to the West



View to the North



View to the East

Screenshots: Kelly Matheson | WITNESS



VIDEO FROM THE FIELD

STEP 4

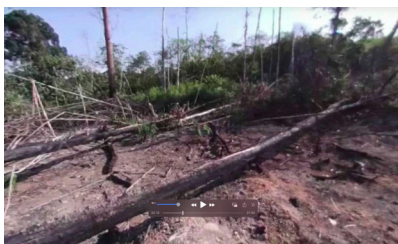
Watch. [A 1-minute 360° video that shows a series of photos taken with a 360° camera.](#)

Ask. What information is needed so anyone viewing this series of photographs could better understand what was being shown and why the is content matters for human rights? Note: Since this is a series of still photographs audio cannot be added but a photo of a piece of paper with key information known as a 'slate' could be added.

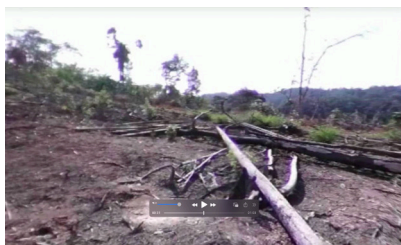
Why this video matters. This video was taken in a community near Ruashi Mine—an open-pit copper and cobalt mine— in the Democratic Republic of Congo. The hill seen in the view to the south is not natural. It is waste from the mine. The other views show how close the toxic waste pile is to the community.



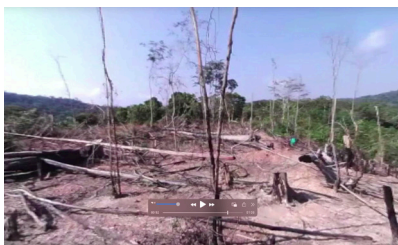
First view



Second view



Third view



Fourth view

MINI GUIDE 7

HOW TO FILM BIG VIOLATION ZONES



Examples of Images

These photos from various places around the world show examples of details that can be captured on-the-ground in a deforested areas: species burned, size of timber burned, proximity of the fire to communities, how trees where cut, size of the trees cut, and more. Capture key details.

STEP 5

Wide



STEP 6

Medium



STEP 7

Close-up
(‘in situ’)



STEP 8

Close-up
(w/scale)



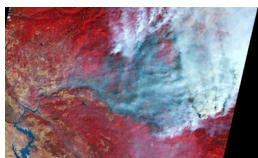


VISUALS FROM THE FIELD **YOSEMITE RIM FIRE**

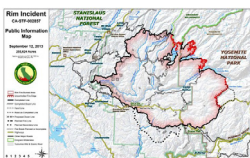
In 2013 a hunter was charged with starting the 400-square mile 'Rim Fire' near Yosemite National Park in California, U.S.A. when his illegal campfire swept out of control. At the time, the 'Rim Fire' was the third largest recorded fire in California's history. Thousands of people had to evacuate their homes, 112 buildings were destroyed, and the cost of fighting the fire was over \$127 million

U.S. dollars. The hunter was charged with four crimes but the charges were dropped when two key witnesses unexpectedly died. Here's examples of visuals that evidence the damage caused. Even though this case never went to court, the visuals help tell the story of loss caused by a single illegal campfire and encourage others to adhere to fire bans.

Satellite—Wide



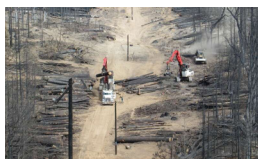
Map—Wide



Plane—Wide/Medium



Ground—Overview & Wide



Ground—Medium



Ground—Medium/Close-up



Photo: Credit



Watch the video taken from the plane on August 22, 2013.

MINI GUIDE 7

HOW TO FILM BIG VIOLATION ZONES



Key Resource

Azavea produced an excellent guide, '[How to Find the Latest Satellite Imagery in 2021](#)'.

The guide includes this decision tree.

Azavea's full guide can be [downloaded here](#).

More and more high-resolution satellite imagery is rapidly becoming available. Look for updates.



MINI GUIDE 7

HOW TO FILM BIG VIOLATION ZONES

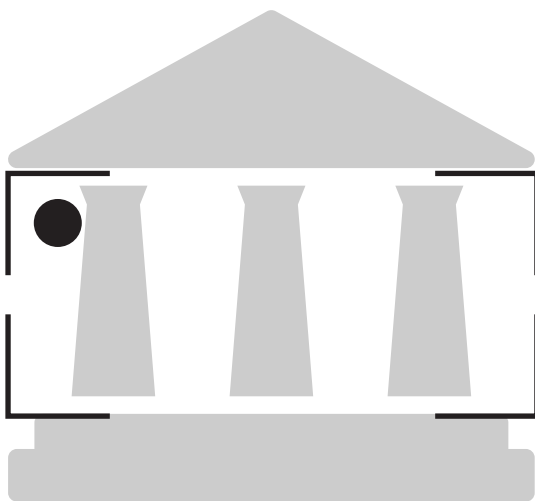


FILMING: The 'Right to Record'

During Step 1: Ensure the Scene is Safe and Step 2: Make a Plan, you will want to consider if you have the 'Right to Record' ?

The 'Right to Record' primarily refers to the right to take out a camera or cell phone and film the military and law enforcement without fear of arrest, violence, or other retaliation. WITNESS also believes that the 'Right to Record' should apply to anything happening in a public space, including the right to document public proceedings of elected officials, something that is widely prohibited across the world.

The 'Right to Record' is clearly protected under international human rights standards such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights that protect freedom of expression, freedom of assembly, and the right to information. In some countries, such as the United States, the 'Right to Record' is legally recognized. In others, such as most of the Persian Gulf region, recording law enforcement and other government officials is expressly prohibited. And in other places, like most of the European Union, the law is unclear.



- What the right to record is
- Why it is essential for human rights
- What laws and policies support the right to record at domestic and international levels
- How human rights defenders can exercise this right safely and effectively





NOTES FROM THE FIELD

AUSTRALIA'S DETENTION CENTERS

Detention centers are a prime example of secretive government practices and notoriously hard to film locations. In 2008, concerns arose over the living conditions of thousands of migrants and asylum-seekers being held on the remote location of Christmas Island—over 3,800 km away from mainland Australia. That year, a report was published by the People's Inquiry Into Detention, exposing grave injustices within the country's private detention centers.

Following further reports of alarming protests and footage of fires at the Christmas Island supermax facility, Australia's Channel 9 investigative news team set out

to investigate and help show the world what was happening. The Channel 9 crew arrived at the detention center with permission to record, supporting documentation of said permission, and approvals for official visits in hand. Upon arriving at the front door, the team was unceremoniously refused access to the detainees.

The government's opaque rebuke of Channel 9's valid filming requests only served to further cement the team's resolve to get the story out. With all official avenues closed to them, the team decided to use a drone to film the secretive location.



MINI GUIDE 7

HOW TO FILM BIG VIOLATION ZONES



NOTES FROM THE FIELD (CONTINUED)

AUSTRALIA'S DETENTION CENTERS

“

Clearly they're not going to let us anywhere near this place, so let's go and find a way of trying to have a look. We tried the front door, without success. So this was the only way to show how, and where, asylum seekers are detained: a bird's eye view from an unmanned camera drone. It's unconventional, but I think it's the only chance we've got of actually being able to see inside.”

Liam Bartlett, Channel 9 News, Australia

Interviews with whistleblowers from the center, advocates' research, mobile phone footage from inside the facility, and drone footage helped prove that the facility was housing over four times the amount of migrants they had capacity for, protests and riots happened frequently, minors were being beaten, and that many buildings were fire-damaged.

Channel 9's news report on the topic spurred international attention on the use of drones for human rights and the filming of facilities the government would rather keep secret. Even though the right to record in Australia was clearly established, the team's use of a drone complicated matters. The law in Australia—and around the world—had not yet fully developed with regard to the use of drones and drone filming. The government's (and Australian public's) harsh responses to Channel 9's ground-breaking drone footage

AFP probes TV station's surveillance drone over Christmas Island

PerthNow
May 12, 2011 6:03PM

TOPICS [VIA News](#) [News](#)

THE Australian Federal Police are investigating whether or not the Nine Network committed an offence by flying a drone over an immigration detention centre on Christmas Island.

highlights some of the risks of filming when the law is unclear.

Due to the increased public attention and uncertainty of the law on drone filming over government sites, the Australian Federal Police began an official investigation into the 60 Minutes news team.

While they were eventually found innocent of breaking Australia's right to record laws, the government placed increased scrutiny on 60 Minutes' investigative filming efforts.



Read the People's Inquiry report to learn more about how human rights defenders exposed Australia's secretive detention centers.

Think about a large site you need to document. Make a plan for how you will film.

Where will you stand to film the 360° shot/s? Is the violation zone so big that you need more than one 360° shot to document an overview of the entire area?

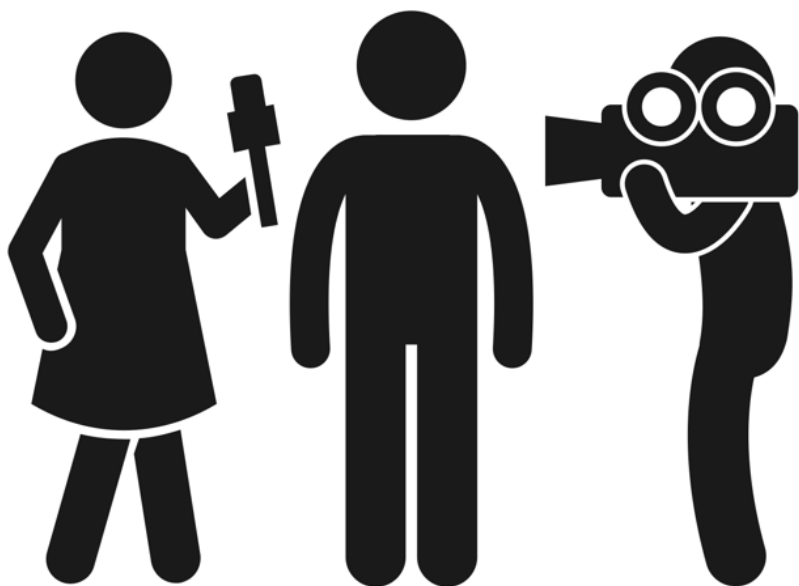
Relevant Wide Shots

Relevant Medium Shots

Relevant Close-up Shots /
Details Needed

MINI GUIDE 8

FILMING PRELIMINARY INTERVIEWS



For more information, [review 'Testimony: Filming Preliminary Interviews'](#) in the *Video as Evidence Field Guide*.



CHECKLIST: TO RECORD OR NOT?

The decision to record an interview on camera is not easy and one you will need to make based on the information you have at the time. Ideally, you want to be able to answer “yes” to each of the questions below before choosing to press record.

YES	NO	
		Are there any advocacy reasons to record this testimony in addition to evidentiary reasons?
		Is it logistically easier to film the testimony rather than write it down?
		Is it safe to record a person's identity (name, face, and voice)?
		Is it probable that the person can provide relevant information?
		Is this likely to be the only opportunity for someone to speak with this person?
		Does this person strike you as a credible and reliable witness?
		Is an on-camera interview likely to empower (rather than re-victimize) the person giving the testimony?
		Is the likelihood that contradictory testimony will later be given low?
		Is it possible to secure informed consent?



TYPES OF INTERVIEWS

Interviews could be useful for advocacy efforts, like campaigns and mobilizations, or for legal processes. But evidentiary videos need to be filmed with caution as they can get tricky. Here's generally the difference:

Advocacy Interviews	Preliminary Interviews	Comprehensive Investigative Interviews
<ul style="list-style-type: none">collected by community members, journalists, activists, filmmakers or NGOS.conducted in a variety of environments but the key is safetycan be filmed shortly after an incident, or separated in time and space from the incidenttends to be longer in length, interviewee is sharing their storyused to persuade decision makers to take action prior to initiating legal action	<ul style="list-style-type: none">collected by a frontline documenterconducted in the field, either during or shortly after an incidentcaptured in a spontaneous mannershorter in lengthintended to collect basic informationto help identify if there are additional witnesses or physical evidence the witness is aware ofto persuade investigators to do more comprehensive interview	<ul style="list-style-type: none">collected by a trained, advocate, investigator, or lawyerconducted in a safe, comfortable environmentseparated in time and space from the incidentcaptured in a planned mannerlonger in lengthintended to collect thorough information about everything the person can rememberintended to learn if there are additional witnesses or physical evidence the witness is aware of

MINI GUIDE 8

FILMING PRELIMINARY INTERVIEWS



BEFORE FILMING: PREPARING FOR THE INTERVIEW & INFORMED CONSENT

Preparation

- ☐ Prepare your equipment
- ☐ Identify and minimize the security risks
- ☐ Know what you need to collect and why
- ☐ Prepare supporting materials in advance
- ☐ Select witnesses
- ☐ Choose a safe, private, and informative interview location
- ☐ Select an interviewer
- ☐ Make the interviewee comfortable

INFORMED CONSENT: Begin with an off-camera conversation to make sure your interviewee understands:

	Who the filmer and crew are, your roles and the purpose of the interview.
	Why they may be asked to explain their responses.
	The potential security implications of speaking out, for themselves, their families and community.
	Who may potentially see the video. How the video will be used and shared.
	That the interviewee may be asked for a more detailed interview or, in some cases, to testify in court.
	That participation is voluntary.
	That no incentives (like monetary compensation) will be provided in exchange for their testimony. victimize) the person giving the testimony?
	That they can cancel their permission during the interview, and the video can be deleted on the spot; if they rescind permission after the interview, logistical and legal realities may make it impossible to delete the testimony.

MINI GUIDE 8

FILMING PRELIMINARY INTERVIEWS



BEFORE FILMING: PREPARING FOR THE INTERVIEW & INFORMED CONSENT

Interviewing

- ☐ Secure informed consent on camera
- ☐ I Consider framing, lighting, and sound
- ☐ Add objective on-camera narration
- ☐ Ask the interview questions
- ☐ Keep Recording
- ☐ Interview one person at a time
- ☐ Listen closely and adapt your plan as needed
- ☐ Film additional information
- ☐ Close the interview

ADDING INFORMATION – A Script to Adapt



This interview is with _____ (FULL NAME) (if the security situation allows on (DATE, TIME, and LOCATION). I will be talking to them about _____ (DESCRIPTION OF THE FACTS THAT YOU ARE GOING TO DISCUSS WITH THE INTERVIEWEE).

I am talking to _____ (NAME) because he / she _____ (DESCRIBES THE ROLE OF THE PERSON INTERVIEWED).



ADDING INFORMATION – Example

This interview is with Jémima Banza on 1 October 2021 at 10:00 in the morning at the community center in Kolwezi, Democratic Republic of Congo. I will be talking to Jémima about the health problems she is experiencing. Jémima lives in Kolwezi two kilometers away from the perimeter of the Kamoto Cooper Mine. Numerous tests show that the land and water in Kolwezi has been significantly contaminated by mining activities. I am talking to Jémima because she believes the contamination is responsible for her health issues.



DURING FILMING: SECURING INFORMED CONSENT ON CAMERA

INFORMED CONSENT ON CAMERA - Now turn on the camera, and before beginning the questions about the incident, ask the following:

	If the security situation allows, please state your name, and the date and location of this interview.
	Please explain in your own words why we're filming this interview.
	Can you tell me who may see the video and how it will be shared?
	Can we show your face and use your real name and voice in this video?
	Are there any other restrictions to using and sharing this interview that we need to be aware of?
	Are you aware that your participation is voluntary and that you can refuse to answer any question and end the filming process at any time in order to ask questions, take a break, or stop completely?
	Were you informed that no incentives will be provided for your testimony and that we cannot assist with any follow-up services?
	Were you informed that you might need be asked to make yourself available for a further, more detailed interview?
	If applicable, were you informed that there is a possibility that you may be called to testify before a court? (As a frontline documenter, it's impossible for you to say with certainty whether a person will be called to testify in court. However, if you think that might be the case, be honest about it.)
	Do you consent to your interview being used in the manner discussed?
	Do I have the means to preserve this video footage securely?

MINI GUIDE 8 FILMING PRELIMINARY INTERVIEWS



COMPOSITION



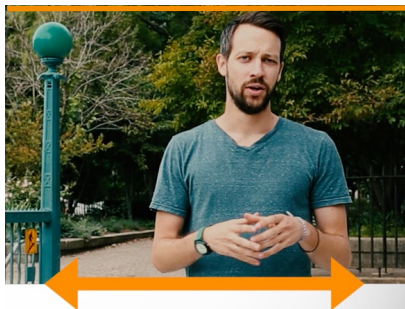
Use the 'Rule of Thirds'



Check for the right amount
of head and talking space

Too much head space

Not enough talking space



You shouldn't be too close or
too far from your interviewee



Too close



Too far



The height of the camera
should be at eye level



CHECKLIST: KEY QUESTIONS FOR PRELIMINARY FIELD INTERVIEWS

Here's a checklist of key questions to ask during a preliminary field interview:

	What, if any, security concerns do you have? Are there any actions you would like us to take while filming you or afterward to minimize your risks and/or the risks to your community?
	What is your name? Please spell it.
	Could you tell me the date, time, and location of the interview?
	Please state the date, time, and location of the event we will be speaking about.
	Can you describe what happened? How do you know?
	How do you think it happened? Why do you think this?
	Can you tell me to whom it happened? How do you know?
	If you have an opinion about why this happened, could you share your thoughts with us? What is your opinion based on?
	If it's safe to do so, could you share the names and contact information of anyone else at the scene or with information about the event?
	Are there any witnesses you believe we should talk with or any physical evidence we should film (such as property damage, injuries, impact areas, bullet holes, or environmental degradation)?
	Do I have the means to preserve this video footage securely?
	Can we or someone else get back in touch with you to follow up or complete a more thorough interview? If yes, how can we contact you? What is your address, phone number, email, and any other key contact information?

MINI GUIDE 8

FILMING PRELIMINARY INTERVIEWS



AFTER FILMING:

Preparation

- ☐ Revisit safety and security conditions/agreements
- ☐ Develop next steps
- ☐ Provide follow-up support if possible
- ☐ Summarize the interview
- ☐ Archive the interview
- ☐ Keep the interview secure

TOWARDS THE END OF THE INTERVIEW - With the camera still recording, ask the interviewee the following:

	Would you like to make any corrections or add any additional information?
	Have there been any threats, promises, or inducements which influenced your answers?
	Is the statement you gave true to the best of your knowledge and recollection?
	Do you have any additional safety concerns considering what you shared?
	What is the best way to follow up with you if needed?

AFTER THE INTERVIEW - With the camera turned off consider the following

	Properly document and preserve the footage in a safe and secure location.
	Determine whether you will share the footage, and if so, with whom, when, and how?
	If needed and if you are able to, provide contact information for a counselor or victim-support services.

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MINI GUIDE 9

ARCHIVING: PRESERVING YOUR DOCUMENTATION



MINI GUIDE 9

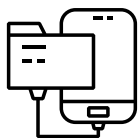
ARCHIVING: PRESERVING YOUR DOCUMENTATION



Digital archiving encompasses ongoing actions to care for valuable documentation and ensure its accessibility over time, including collecting, organizing, cataloging, storing, and long-term maintenance and preservation. Archiving protects against file corruption and loss, secures your collection from tampering, and enables authorized users to find authenticable videos and photos.

KEY STAGES

Archiving can be broken down into the following key stages. As you develop your archival workflows, document your decisions and steps so that you can follow them consistently while building your collection.



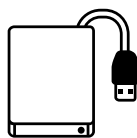
Create and Transfer



Collect and Organize



Catalog



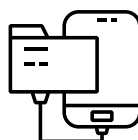
Store



Long-term Preservation

Create and Transfer

When capturing videos and photos, consider what additional information, or metadata, you need for future preservation and use.



Important metadata to capture or create:

- ☐ The source of the video or photo (the “who,” “where,” and “when”)
- ☐ Description of the recorded event (the “what”)
- ☐ Restrictions required for security and privacy
- ☐ Chain of custody (i.e., chronology of who has handled the video, starting with its creator)

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ARCHIVING: PRESERVING YOUR DOCUMENTATION




Additional tips:



- ☐ When sharing or downloading, transfer files completely and without changes or additional compression
- ☐ When creating edited videos, export a high-resolution copy for preservation, even if you only need lower-resolution versions for use

Enhance Evidence of Authenticity

It may be helpful to demonstrate that your files are intact and unaltered, especially if you are using video for evidentiary purposes. Hashes, or checksums, are sequences of letters and numbers generated by running certain algorithms on your file. Hash values are unique to your file, so matching hashes show that files are exact copies, while mismatched hashes show that files are not exact copies. You can also check if a file has changed by running and keeping track of its hashes over time. SHA-1/MD5 are common hash algorithms for verifying file integrity.

 unknown.mp4	
 VID_20220301_230609880.mp4	
44f8621efd08b43865f49c6aa986c40d209d0c2a	unknown.mp4
44f8621efd08b43865f49c6aa986c40d209d0c2a	VID_20220301_230609880.mp4

The SHA-1 hashes of unknown.mp4 and VID_20220301_230609880.mp4 match, so they are exact copies of the same video.

 webrec.m4v	
 webrec(1).m4v	
dbfee0bbcb69a5194ce65ccaafe828123ccac65ac	webrec.m4v
44f8621efd08b43865f49c6aa986c40d209d0c2a	webrec(1).m4v

The SHA-1 hashes of webrec.m4v and webrec(1).m4v do not match, so they are not exact copies.

Hashing tips:

- ☐ Generate and record hashes as early in the video/photo lifecycle as possible, such as when you capture or download the video/photo from your camera for the first time. Use specialized documentation apps / hashing tools (see "Free and/or Open-Source Tools")
- ☐ Check hashes periodically as part of collection maintenance, and whenever you need to demonstrate the integrity of your files

MINI GUIDE 9

ARCHIVING: PRESERVING YOUR DOCUMENTATION



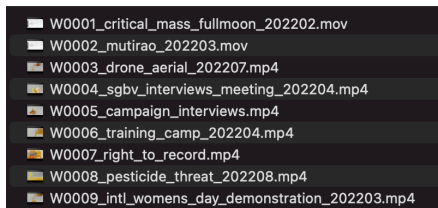
Collect and Organize

Organizing your collection involves arranging your files into a coherent directory or folder structure and clearly naming those directories. Good organization is needed to maintain the provenance and original order of your files and ensure they are not accidentally lost or overwritten. It is easier to find records in a well-organized collection.



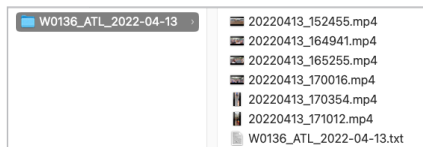
Tips:

- ☐ Do not rename file names assigned by the camera
- ☐ Name edited videos consistently and maintain your project files
- ☐ Create a naming template and use unique identifiers to help organize and distinguish your files



Example of file naming using unique identifiers.

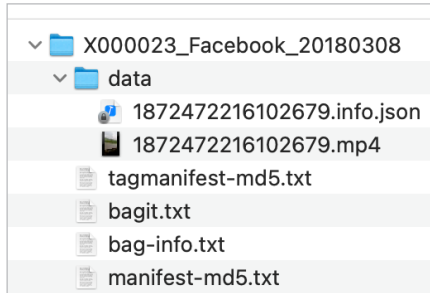
- ☐ Do not use special characters such as @#\$%&*.'<>?/\~|, diacritics, or spaces in folder or file names
- ☐ Put your video, or set of videos that belong together, into an "information package:" a self-describing container – usually a clearly and uniquely named folder or directory – that can also include any related documentation or metadata



Example of a simple information package that includes videos and a descriptive text document.

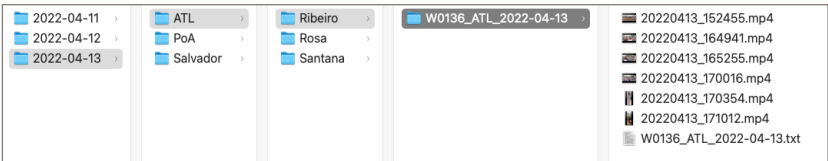
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ARCHIVING: PRESERVING YOUR DOCUMENTATION



Example of a more complex information package using the BagIt packaging format standard.

- ☐ When organizing your packages, keep their original context and relationships intact, such as organizing by date created and/or source



A package organized into a directory structure based on date, location, and filmer.

Catalog



Cataloging is important for creating and organizing descriptive information in a structured way so that records can be found, used, and understood.

To ensure future access, especially for larger collections, some sort of cataloging is critical. You can use a spreadsheet to make a simple catalog, or use a database / media management tool for a more complex catalog.

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ARCHIVING: PRESERVING YOUR DOCUMENTATION



Tips on Cataloguing:

- ☐ Define a catalog structure, which can include descriptive, contextual, technical, and rights information; keywords; and other information
- ☐ Create fields/columns in the spreadsheet or table to divide your information into sufficiently granular pieces of data that enable easy sorting and searching (e.g. fields for File Name, Date, Duration, etc. to describe a video file)
- ☐ To avoid data redundancy that can lead to inconsistencies, each spreadsheet or table should only describe one type of entity (e.g. Video). Create multiple spreadsheets or tables if you need to describe multiple types of entities (e.g. Videos, Events, People). You can point to records in different tables using unique identifiers

- ☐ Give each record/row in the spreadsheet or table a unique identifier. Using unique identifiers ensures that each record/row can be properly referenced and distinguished from other records/rows, even if they have similar data

ID	First Name	Last Name
C001	Luis	Rodríguez
C002	Luis	García
C003	Daniel	Rodríguez

- ☐ Create a control list of preferred terms and definitions when multiple terms can describe the same thing (e.g. "deforestation" and "logging"), or when working in multiple languages

- ☐ Specify a preferred format for values such as dates (for example, yyyy-mm-dd rather than dd-mm-yyyy), and use it consistently

Date recorded
2022-08-04
8/4/2022
Aug 4, 2022
4-Aug-2022

Different ways of representing dates – choose one format and use consistently.

- ☐ For more comprehensive and cohesive catalogs, you can make rules such as mandatory data entry fields to ensure that crucial information will be collected
- ☐ Using the same metadata scheme across your community or sector can help make your data more interoperable. For example, widely adopted standards such as Dublin Core can be used for describing digital resources

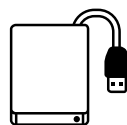
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ARCHIVING: PRESERVING YOUR DOCUMENTATION



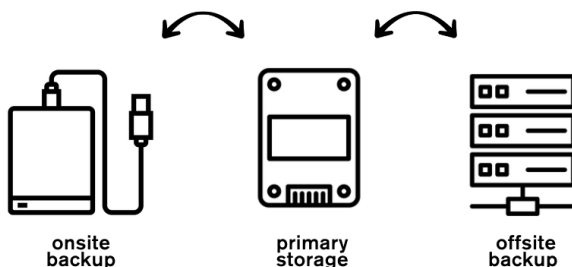
Store

Storage refers to the media and methods used to store and access your records. No matter what kind of media or device you use, none will last forever. The actual lifespan of storage media or hardware depends on many factors such as its environment and usage. Good storage practice includes choosing appropriate storage, backup, and active monitoring.



Tips:

- ☐ Use the 3-2-1 rule: keep 3 copies of your collection, on 2 different storage mediums/platforms (such as a portable hard drive and a cloud storage provider), with 1 copy geographically distant from the others



- ☐ For parts of your storage that are updated frequently, use backup software to perform incremental backups
- ☐ Control physical and electronic access to your collection to prevent accidental or deliberate tampering and deletion – also to protect the identities of those in high-risk situations or to respect privacy
- ☐ Consider your IT support capacity, the nature and size of your collection, and access requirements when choosing storage media and configurations. Remember that storage devices need to be maintained
- ☐ Check the temperature / relative humidity of your storage environment against the recommendations for your device. High humidity and temperature fluctuations are usually harmful to devices. For packaging, use barriers or layers that block the exchange of humidity and temperature, such as two boxes stored in a closet in a central room, without external walls. Pack items on a dry day

MINI GUIDE 9

ARCHIVING: PRESERVING YOUR DOCUMENTATION



Tips on Storing:

- ☐ The failure rate of storage media increases over time. Consider updating/replacing storage media and devices approximately every 5 years to minimize risk
- ☐ Be aware of viruses or spyware if your storage devices are connected to a network
- ☐ Encrypting your devices or storage volumes is important, but it can be risky if you lose the encryption key
- ☐ Monitor your collection periodically. Pick one day a year to check/clean your files, such as an anniversary or important date such as Earth Day (April 22) or World Day for Audiovisual Heritage (October 27)

Long-term Preservation

Long-term Preservation requires a commitment to future actions.



Consider:

- ☐ Changes in capture or filming technology that may require new methods of collecting and managing videos and photos
- ☐ Changes in storage technology that affect the availability of certain media, devices, cables, or connectors; and the cost of media or services. This may require you to migrate media to different media types or storage services
- ☐ Changes in your users' needs (e.g. evidentiary requirements, their ability to understand the content, etc.) that may require you to update your collection or cataloging approaches
- ☐ File format obsolescence that may make formats in your collection difficult to open, play, or use. You may need to create copies of your videos and photos in new, usable formats
- ☐ Your ability/capacity to sustain the collection over time



MORE INFORMATION

For more information about archiving and preservation, we recommend the following resources:

- [Activists' Guide to Archiving Video guide](#) (WITNESS)
- [Community-Based Archiving YouTube playlist](#) (WITNESS)
- [Microthesauri](#) (HURIDOCS)
- [Plan for the Information You Need guide](#) (HURIDOCS)
- [Earth Defenders Toolkit](#) (Digital Democracy)
- [Tech Tools for Human Rights Documentation website](#) (Engine Room)
- [Should I Collect and Archive these Videos? tipsheet](#) (WITNESS)

FREE AND/OR OPEN SOURCE TOOLS

Filming / Metadata Capture

[Proofmode](#) (Android, iOS)

[Tella](#) (Android, iOS)

Hashing

[Hash Droid](#) (Android)

[MD5](#) (built-in Mac utility)

[QuickHash](#) (Linux, macOS, Windows)

File Copying/Migration

[Robocopy](#) (Windows utility)

[Rsync](#) (Linux, macOS)

[TeraCopy](#) (macOS, Windows)

Packaging

[BagIt](#) (written specification)

[Bagger](#) (Windows, Linux, macOS)

[Exactly](#) (macOS, Windows)

File Metadata Read/Write

[Exiftool](#) (macOS, Windows)

[MedialInfo](#) (Linux, macOS, Windows)

Cataloging/Publishing

[Mukurtu](#) (Drupal)

[Omeka](#) (Linux or hosted)

[Uwazi](#) (Linux or hosted)

[Tainacan](#) (WordPress)

Reformatting

[Audacity](#) (Linux, macOS, Windows)

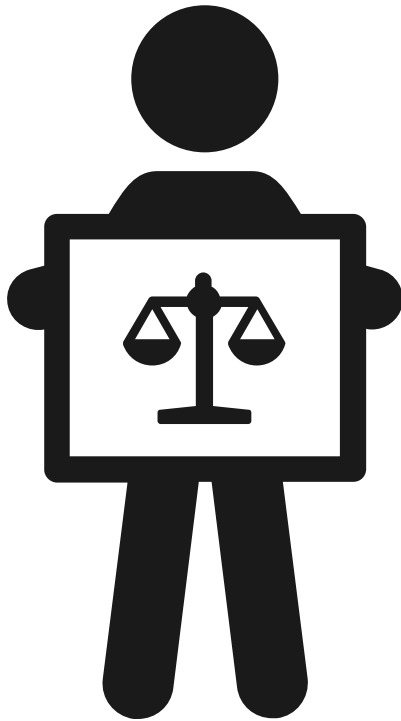
[FFMPEG](#) (Linux, macOS, Windows)

[Handbrake](#) (Linux, macOS, Windows)

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MINI GUIDE 10

PREPARING & SHARING YOUR DOCUMENTATION



MINI GUIDE 10

PREPARING & SHARING YOUR DOCUMENTATION



In Short

For high-quality, actionable, visual documentation to create change, it needs to be presented and reported on. In many cases, visual documentation will be presented together with other evidence gathered such as documents, physical evidence, forensic and technical reports, and witness testimony. Our goal as human rights advocates is to

present evidence in a way that is clear and helps our audiences make informed decisions based on accurate information.

Visual documentation can be presented in different formats to many different advocacy and justice processes.



Written



Visual



Spoken



Combination



- Courts
- United Nations
- Regional Justice Mechanisms
- National Justice Mechanisms
- Peoples Tribunals
- Mediation processes
- World Bank and other Financiers
- Corporate shareholders & investors
- Media
- Community screenings
- And more...

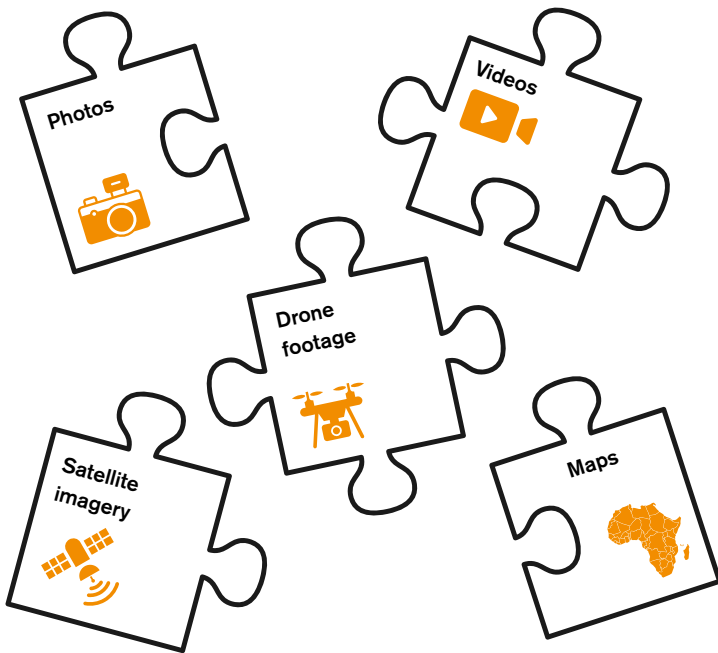
MINI GUIDE 10

PREPARING & SHARING YOUR DOCUMENTATION



Forms of Visual Evidence

Visual evidence can take many forms—consider which types could be combined, prepared, and shared to help prove the crimes and violations affecting your community and, in turn, protect environmental human rights..



Other forms of visual evidence include graphics, animations, sketches, models, diagrams, graphs, charts, but our focus will be on the forms above.

MINI GUIDE 10

PREPARING & SHARING YOUR DOCUMENTATION



Key Elements & Principles

The following elements should be present in every evidentiary presentation shared whether written, visual, or spoken.



Purpose

Preparers know and state the exact purpose of the evidentiary presentation and the specific legal framework your community will be using i.e. national laws, UN treaties, dispute resolution rules of procedures, etc.



Confidentiality

The preparers should consider if any information should be left out to protect privacy, dignity, and/or security unless legally required to disclose by a court.



Accuracy

Presentations of the evidence should accurately represent the visual documentation collected. Any gaps in information should be disclosed.



Language

Presentations should be objective and factual avoiding emotional language when possible. They should be clear, concise, well organized, and culturally sensitive. Presentations should also be made available in the languages of the affected communities and the official language used by the justice mechanism it is being shared with.



Attribution

The preparers need to ensure they have permission to use the visual documentation and give credit to the individuals and organizations that courageously collected the documentation.



Transparency

In addition to clearly stating the goals, presentations should also share the processes and methods used by the preparers without disclosing confidential information.



Completeness

The presentation should indicate how complete the documentation is and if any documentation was intentionally excluded.

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PREPARING & SHARING YOUR DOCUMENTATION



Here are a few initial questions to ask:

What is the goal (or goals) of the evidentiary presentation?

What legal framework will your community be using?

Describe the audiences your community will be presenting the visual evidence to?

What language/s should the presentation be in?

1st

2nd

List all the relevant visual documentation available to include in the presentation?

1.

2.

3.

Etc.



Many of the basic principles that apply to the drafting written human rights reports also apply to the preparation of visual evidence presentations. While there are some differences, **'Chapter 13: Human Rights Monitoring'** of the UN's Manual on Human Right Monitoring outlines a number of good practices.

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List all the other relevant sources of evidence available to include in the presentation?

1.

2.

3.

Etc.

Evaluate any ethical considerations that may arise in presenting the documentation including concerns for protecting dignity, privacy, confidentiality, security, and more.

Creative Brief

Now think about how you will combine the visual material with other sources of evidence to present the documentation in a way that is clear and helps audience make informed decisions.



NOTES FROM THE FIELD

MARERENI COMMUNITY V. KRYSTALLINE SALT COMPANY

Salt on our Wounds:
The impacts on the Marereni Community of non-
compliance with EIA license conditions by
Krystalline Salt Company



*Groundtruthing Photographic Evidence from April 2016
by Natural Justice Kenya*



To learn more about Kenya's Marereni Salt Belt [watch the two-minute video](#), *Extracted: Garithe Villag*. Click [here to review the full 'Photostory'](#) published by Natural Justice.

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WRITTEN EVIDENTIARY SUBMISSION WITH PHOTOS KENYA SALT MINE

BACKSTORY

Salt mining companies started acquiring fertile land in the area of Marereni along Kenya's west coast in the 1980s. Large-scale operations to produce and harvest salt began in the 1990s. Operations affect over 4500 household. Impacts vary and include loss of land, livestock and livelihoods, forced evictions, water and air pollution, exploitation of workers, increased workloads for women, and illnesses.

To help prove one of the companies—Krystalline Salt Company—violated its permit and other environmental laws resulting in human rights violations, the community took photos and published a 'Photostory'. The community sought to stop the mining operations.

Here are two of the photos included in the 'Photostory' they prepared.

Consider what you know from only looking at the photos. Without context, these photos don't tell us much.





EXCERPT FROM THE WRITTEN EVIDENTIARY SUBMISSION
EXPLAINING THE VIOLATION SHOWN IN THE PHOTO

Required of the Company

“A twenty meter vegetation greenbelt to be maintained between ... the boundary of the adjacent farms and the proposed project site and between the boundary of the adjacent villages and the proposed project site.”



Farm

No vegetation

Mine infrastructure

This image shows that the project proponent has constructed a dyke/embankment separating the project site from the community land. There is no vegetation buffer zone between the evaporation pan on the right and the farms on the left.

The community was informed by an engineer employed by the company that the buffer zone will consist of two strips of seven meters of vegetation with six meters of drainage in between.

If the project proponent establishes the buffer zone as required, they will need to move the dyke 10 to 15 metres eastwards, into what is currently a constructed evaporation pan. For the last several months this pan immediately adjacent to the boundary has consisted of exposed soil that is easily dislocated when a westerly breeze blows off the ocean, covering nearby communities with dust.

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EXCERPT FROM THE WRITTEN EVIDENTIARY SUBMISSION EXPLAINING THE VIOLATION SHOWN IN THE PHOTO

Required of the Company

“Company management to seek appropriate advice and support of the shrine Elders on how best the shrine and worship activities in the shrine will be handled bearing in mind of the proposed developments in the area.”



The sacred grove that the project proponent were supposed to preserve according to the Environmental Management Plan has now been completely cleared, leaving a single baobab tree remaining. [T]he area is completely exposed. For this reason, the community has not been able to utilise the sacred grove since it was cleared.



Review all the examples in the full ‘Photostory’ published by Natural Justice.

To learn more, **read Action Aid’s report** about the Marereni Salt Belt.

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PREPARING & SHARING YOUR DOCUMENTATION



TAKE HOME POINTS

Here are just a few of the ways in which Natural Justice honored the key principles and elements for preparing and sharing this 'Photostory'.



Purpose

They stated their exact purpose of the evidentiary presentation: to prove Krystalline Salt Company was violating its license and mitigation responsibilities and, in turn, was harming the community of Marereni.



Language

The 'Photostory' is objective and factual and does not use any emotional language.



Confidentiality

The 'Photostory' does not disclose the names of any community members.



Violation

Natural Justice clearly identified the specific provisions being violated and then used photographs to show precisely how the provisions were being violated.

SPECIAL THANKS

The creation of this *Environmental Defense Guide* would not have been possible without the wisdom from communities of courageous environmental human rights defenders in the Republic of Guinea, Democratic Republic of Congo, Ecuador, Peru, and Brazil along with the support of the 11th Hour Project, All Eyes on the Amazon, and the Dutch Postcode Lottery.

Thank you all so very much from the WITNESS Team.