***Training Materials on the International Protocol***

**PART 2 MODULE 5 – IDENTIFYING SURVIVORS AND OTHER WITNESSES**

**Session objectives:**

* Learning to recognise and mitigate the concerns of survivors and witnesses
* Considering appropriate means of approaching men, women and children
* Identifying potential intermediaries and managing their activities

**Suggested duration of session:**  60 to 90 minutes

**Exercise:** Approaching Witnesses (30-45 minutes)

**Relevant sections of International Protocol:**

Pages 41-44; Module 1 – Understanding Sexual Violence; Module 3 – Preliminary Considerations; Module 6 – Testimony; Module 7 – Interviewing; Annex 1 – Evidence Workbook

This module builds on the previous sections relating to the planning and preparation phase, and is important to help prepare participants for Module 6 on Testimony and Module 7 on Interviewing. The trainer for these sessions must have professional experience in investigation/documentation and interacting with witnesses. For the first section on identifying survivors, the trainer should lead the discussion about how to recognise the concerns and potential risks which can discourage or prevent survivors from speaking about their experiences.

Participants should discuss any relevant professional experiences they have, particularly examples where they did not originally realise that the person they were dealing with had been directly affected by sexual violence. The trainer may want to link back to Module 1 on Understanding Sexual Violence to ensure that participants are conscious of and able to avoid common stereotypes and preconceptions about who can be a victim/survivor of sexual violence and what behaviour or emotional responses can be expected. The participants should understand two core messages: i) *everyone* they meet and interact with in the field is potentially a survivor or witness of sexual violence, and ii) they may not always know in advance that the person they are speaking with has relevant information about sexual violence. They should expect to encounter survivors and witnesses of sexual violence even while investigating or documenting other crimes, and should plan and prepare accordingly.

The second component of the module relates to selecting and working with intermediaries. The trainer should ask participants to give examples of intermediaries that they have worked with in the past, and encourage them to think broadly about who might be considered an intermediary (i.e. local fixers, drivers, representatives). They should also discuss and give examples of the challenges and potential problems of working through a third party, from security concerns to diverging objectives. The trainer should emphasise that working with intermediaries may be unavoidable in some circumstances, but that it is the responsibility of the investigation or documentation team to make sure that anyone who is speaking or acting on their behalf does not behave in an unethical, illegal or inappropriate way. The Protocol provides some guidance on relevant factors when choosing an intermediary and highlights some common pitfalls to avoid. The trainer is encouraged to provide additional local examples where appropriate.

The trainer should also emphasise the importance of responsibly managing intermediaries and giving clear tasking instructions, particularly if the participants are likely to be using intermediaries to identify potential survivors or witnesses. The trainer should explain that there is always a danger, which must be managed, that the intermediary could simply manufacture the information they want or could induce someone to give false testimony about it. Any tasking instructions to intermediaries must be clear, simple and precise, and should be phrased carefully to minimise the risk that the intermediary could improperly influence witness testimony.

For example, if the participants tell their intermediary that their investigation or documentation team is interested in speaking to people who were in Village X on a specific date, that instruction should be fine since it is clear enough for the intermediary to be able to pursue potential leads but does not lead or influence them on any specific details. If they tell the intermediary that they’re looking for people who were attacked by Commander X with a machete, there is a much greater risk that the intermediary might be tempted to procure someone who will claim to have information about that exact situation.

**Exercise instructions**

For the ‘Approaching Witnesses’ exercise, depending on the number of participants and the time available for this module, the trainer should split the participants into working groups (at least three). The trainer should try to make sure that any participants with field or investigation expertise are spread out throughout the groups to help guide their fellow participants. The specific scenarios from the Evidence Workbook highlighted in the slide are just intended as examples – the trainer should research and select scenarios that are relevant to and represent the local context (i.e. from newspaper stories or NGO reports), and make sure to include a mixture of male and female survivors/witnesses among the examples. Whichever factual scenarios are chosen, they should be assigned to each of the groups to read and discuss. They should focus on three main issues: i) how they would go about identifying and approaching that survivor or witness; ii) what additional information they would need for their planning and risk assessment; and iii) what form any contact should take (i.e. directly or through an intermediary, by phone or in person).

The trainer should make sure that enough time is scheduled to allow the groups to discuss all three of these issues, and that there is enough space in the training area for them to split up and work comfortably within the groups. Each group should be given paper or a whiteboard to make notes of their discussions and conclusions. When the discussion time is finished (at least 20 minutes is recommended) the trainer should re-assemble all the participants into one large group and ask representatives from each of the groups to report back on their findings. The different examples selected should help the participants to understand the range of circumstances that can affect survivors or witnesses, the different concerns which might be relevant when choosing the most suitable approach to any individual survivor or witness, and selecting the most appropriate method to contact or interact with a survivor or witness without intimidating or endangering them.