

PROVING RESPONSIBILITY

KEY DEFINITIONS

Crime-based evidence is relevant and reliable information about “What” happened? In other words, “What” crime was committed?

Linkage evidence is relevant and reliable information that helps prove responsibility for the crime. In other words, it helps prove “Who” committed the crime and “How” they did it (i.e. individual perpetration, conspiracy, aiding & abetting, command responsibility).

Notice evidence is relevant and reliable information that shows that a military commander or civilian leader received information that ensured they knew — or should have known — that the people they had authority over were committing crimes.

Remote commander tends to be a high-level military, paramilitary or civilian commander who does not go into the field and instead controls people from a location that is a safe distance away from the frontlines.

Citizen witnesses and human rights activists are uniquely placed to gather crime-based, linkage and notice evidence.

PROVING RESPONSIBILITY

HOW CAN VIDEO SHOW THE COMMISSION OF A CRIME?

Examples of video that could serve as...

CRIME-BASED EVIDENCE

- Torture in progress
- Unarmed persons being repeatedly beaten by national police
- Unarmed persons being shot by military forces
- Injuries suffered after the use of excessive force
- Injuries showing permanent mutilation after an attack such as an acid attack
- Mass graves
- Damage to civilian property such as schools and hospitals
- Damage to cultural objects
- Children bearing arms or participating in military activities
- Billboards with hate speech
- Impact zone of a suspected chemical weapons attack
- Unhealthy labor conditions
- Children working in factories
- Inadequate detention conditions
- Pillaging of humanitarian aid in progress or the aftermath
- Environmental degradation such as a visually contaminated water source
- Etc.

MINI GUIDE: **PROVING RESPONSIBILITY V 1.0**



MINI GUIDE: **PROVING RESPONSIBILITY V 1.0**



PROVING RESPONSIBILITY

HOW CAN VIDEO LINK A PERPETRATOR TO A CRIME?

Examples of video that could serve as...

LINKAGE EVIDENCE

- Police formations at a protest
- Badge numbers
- Passports or other official documents of identification
- License plates of official vehicles
- Military equipment – small arms, large arms, protective gears, missile heads, tanks, planes, etc.
- Serial numbers on military equipment
- Uniforms
- Speeches by leaders and those that they have authority over
- Checkpoints
- Troop movements
- Buildings where perpetrators based operations out of
- Communications equipment – satellites dishes, radios, etc.
- Video of documents that can't be taken because of security risks so the contents are filmed or photographed instead
- Video-taped interviews with perpetrators, prisoners or defectors
- Etc.

MINI GUIDE: **PROVING RESPONSIBILITY V 1.0**



PROVING RESPONSIBILITY

HOW CAN VIDEO PUT A PERPETRATOR ON NOTICE?

Examples of video that could serve as...

NOTICE EVIDENCE

- The crimes or the aftermath of the crimes broadcast on television
- Public speeches by UN or national officials presenting video clips of the crimes and calling for crimes to stop
- Public speeches by remote perpetrators acknowledging crimes on the ground.
- Perpetrators in the field with their troops
- Perpetrators using communications technologies
- Video-taped interviews with perpetrators acknowledging the commission of crimes
- Video-taped interviews with prisoners and defectors acknowledging communications with remote commanders and leaders
- Video reports produced and distributed by NGOs that document crimes.
- Etc.

MINI GUIDE: **PROVING RESPONSIBILITY V 1.0**

