

Chapter 8 Monitoring: Witnessing, Investigating, and Reporting

Monitoring is popularly perceived as being the entire composition of UN human rights field activity. Referring to operations such as HRFOR as being human rights monitoring missions tends to reinforce this narrow stereotypical perception as to what human rights in the field is all about. As this and other studies have show, the scope for UN human rights field activity and the specific potential human rights functions of a human rights operation (HRO) and its UN field partners are huge.

Nevertheless, monitoring remains a key function of most UN operations. By and large, monitoring functions can be divided into a number of standard sub-functions including witnessing, investigating, and reporting. This chapter will look at how an operation's monitoring mandate is initially defined by formal operational mandates and then modified by field constraints both political and physical. It will then look at the increasing relevance, how, and to what degree, that wide range of UN HRO field partners such as military or CIVPOL should be involved in the monitoring process. And finally, it will look at the need for increased training in monitoring skills for all types of 'monitors', from observers to forensic specialists. Finally, the chapter will look at the end part of effective monitoring, the need to remember that it must be translated into increased human rights protection.

8.1 Mandate and Constraints

Monitoring human rights violations is usually high profile and thus immensely political. As such, the monitoring mandate for an HRO and any larger UN operation will initially be facilitated by or circumscribed by formal mandate. The monitoring mandate for ONUSAL as set out in the San José Agreement on Human Rights has been the most comprehensive to date. It has ended up being used as a type of monitoring operations template for the HROs in Haiti (MICIVIH) and Guatemala (MINUGUA). It is useful to look at the first 6 of the operation's mandated powers:

- "14. The Mission's mandate shall include the following powers:
- a. To verify the observance of human rights in El Salvador;
 - b. To receive communications from any individual, group of individuals or body in El Salvador, containing reports of human rights violations;