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

**PART I MODULE 1 – USING THE INTERNATIONAL PROTOCOL**

**Session objectives:**

By the end of the session, participants should be in a position to:

* Explain what the International Protocol is and how it can be used
* Recognise the purpose and importance of the Protocol as a practical tool
* Define certain terms and concepts which apply to all modules

**Suggested duration of session:**  15 to 45 minutes

**Exercise:** None

**Relevant sections of International Protocol:** Pages 10-15

This module should be the first session of any training based on the International Protocol (also, Protocol). The trainer on this and other modules should read the Notes for Users section on page ii of these materials. This module sets out some key concepts, explains how the Protocol can be used as a practical tool and clears up some terminology which will be used throughout all the modules. Participants should be asked if they have read or worked with the Protocol prior to the training. Those that have can discuss their experience, while those that have not should be encouraged to think about how it could be useful to them in their work. The trainer should encourage an appreciation among participants of its usefulness notwithstanding its size.

The trainer should emphasise that the Protocol is intended to be a helpful practical guide for those who are researching, investigating or documenting sexual violence as a war crime, crime against humanity, act of genocide or other serious violation of international criminal, human rights or humanitarian law (referred to as Conflict and Atrocity-Related Sexual Violence, or CARSV), not to act as a rulebook or set out the only possible way of doing things. The Protocol sets out best practice on the documentation of sexual violence as a crime or violation of international law, which will have to be tailored to the particular context of any field research, investigation or documentation project. Participants should be encouraged to think carefully about whether they or their organisation have the necessary mandate, skills and training to carry out this kind of work sensitively and responsibly. However, even those who are not directly involved in investigating or documenting CARSV can learn from the Protocol by seeing it as an overview of international best practices and using it as a benchmark to better understand and analyse how this kind of work is done in their local context.

It should also be emphasised to participants that the Protocol is not intended to insist on a universally applicable legal or professional standard or to challenge the ethical and legal practices of experienced criminal investigators. National and international criminal investigators have varying procedures and legal requirements (and those also differ between legal systems), but some of the fundamental ethical and practical principles set out in the Protocol are still useful to their work. The aim of the Protocol is to provide basic practical guidance for anyone who is gathering information about sexual violence as a crime or violation of international law for accountability purposes – particularly those in the field who are faced with a need to document acts of sexual and gender-based violence, but who may not have the training or professional foundation for doing so. As such, the Protocol is intended to be as broadly accessible and widely useful as possible, but must be adapted by the practitioners on the ground to fit the specific requirements of their situation and mandate.

Increasingly, information about sexual violence and other international crimes and violations is being gathered by groups and individuals who fall outside the category of traditional police or judicial investigating authorities, whether national or international. This can include: non-governmental organisations (NGOs), victim advocacy groups and other civil society actors; human rights monitors; journalists and investigative reporters; and humanitarian, development or outreach workers. The evidence or information collected by them may ultimately end up being used for advocacy purposes or in the work of transitional justice or other accountability mechanisms. The trainer should emphasise that the principles set out in the Protocol, if followed with due care and attention and applied in a manner which is appropriate for the situation and individuals concerned, can help to ensure that any information about sexual violence – even if collected by non-judicial authorities – can still be used to contribute to the pursuit of justice and accountability, and does not undermine official efforts to bring justice to the victims.

On the final two accompanying PowerPoint slides on terminology, the trainer should emphasise some issues about the terms that will be used throughout the training materials. For example, the difference between investigation and documentation of sexual violence may (or may not) be of practical importance to participants. In some contexts, the primary difference is that investigation implies a focus on establishing responsibility and may require specific legal or professional authority, whereas documentation is focussed more on establishing facts or sequences of events and can be carried out by many different groups and individuals. The participants may not think of themselves as investigators or may think that the principles in the Protocol do not apply to them, but if they are collecting relevant and detailed information about sexual violence as part of their work they are involved in documentation. Some principles in the Protocol apply differently to investigation and documentation, and the language in some other modules also reflects this (i.e. referring to evidence rather than information, or testimony rather than statements). Mindful of the risk of confusion about the practical importance of the distinction, the trainer should encourage the participants to consider whether they or their organisation are involved in investigation, documentation or a mixture of both, and should tailor the language in the other modules accordingly. The Protocol uses the term “documentation” broadly to refer to the process of gathering information on CARSV, regardless of the role or mandate of the relevant practitioner. Where relevant, the term “official investigation” is used to refer to state-led or other investigative efforts by mandated justice and law enforcement actors.

There is a growing body of research on the prevalence, scale and nature of CARSV against male victims. There also is a growing body of practice concerning possible similarities and differences between investigating or documenting such violence against women, girls, men, boys and minority sexual and gender identities. The Protocol generally integrates sexual violence against men and boys throughout. However, Module 16 (Sexual Violence against Children) covers specific considerations when dealing with children as victims and witnesses, whereas Module 17 (Sexual Violence against Men and Boys) specifically deals with sexual violence against male victims, whether adults or children. However, the trainer of these topics and other modules should be experienced in, or at a minimum familiar with, such issues and should highlight and integrate them throughout all the modules where relevant. For some trainings and in certain contexts, additional specific content and emphasis on such issues may be required.