



실무워크숍 Workshop for Practitioners

26-27 July, 2017(Wed & Thur), 9:30-18:00
International Studies Hall, Korea University
7월 26-27일(수-목), 9:30-18:00, 고려대학교 국제관


Organizer 주최


 Transitional Justice Working Group(TJWG) 전환기정의워킹그룹


Partner 협력

 United Nations Human Rights Office in Seoul 유엔인권사무소(서울)

Sponsors 후원

 National Endowment for Democracy(NED) 전미민주주의기금

 Amnesty International South Korea 국제앰네스티 한국지부

 The Asan Institute for Policy Studies 아산정책연구원

 Korea University Human Rights Center 고려대학교인권센터

Transitional Justice Working Group (TJWG)
전환기정의워킹그룹

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Day 1 July 26, 2017 (Wed), 9:30-17:30

TRACK A for English-speaking participants		TRACK B for Korean-speaking participants	
09:30-12:00	Session 1 Forensic Science Stefan Schmitt	Session 1 Information Technology Friedhelm Weinberg	
12:00-13:00	Lunch Break		
09:30-12:00	Session 2 Information Technology Friedhelm Weinberg	Session 2 The Law Dr. Nevenka Tromp	
16:00-16:20	Break		
09:30-12:00	Session 3 The Law Dr. Nevenka Tromp	Session 3 Human Rights Documentation Dr. Patrick Ball	

Day 2 July 27, 2017 (Thur), 9:30-17:30

TRACK A for English-speaking participants		TRACK B for Korean-speaking participants	
09:30-12:00	Session 4 Human Rights Documentation Dr. Patrick Ball	Session 4 Forensic Science Stefan Schmitt	
12:00-13:00	Lunch Break		
13:00-15:30	Panel Discussion on civil society cooperation and Asia-based hub		
15:30-16:00	Break		
16:00-17:30	Wrap-up Session Closing discussion with speakers and organisers		

첫째 날 2017년 7월 26일(수), 9:30-17:30

트랙 A 영어사용자		트랙 B 한국어 사용자 / 동시통역	
09:30-12:00	세션 1 법과학 스테판 슈미트	세션 1 법과학 프리드헬름 웨인버그, 휴리독스 (HURIDOC)	
12:00-13:00	점심식사		
09:30-12:00	세션 2 정보기술 프리드헬름 웨인버그, 휴리독스 (HURIDOC)	세션 2 법 네벤카 트롬프 박사, 제프리나이스재단	
16:00-16:20	휴식		
09:30-12:00	세션 3 법 네벤카 트롬프 박사, 제프리나이스재단	세션 3 인권조사기록 패트릭 볼 박사, 인권데이터분석그룹 (HRDAG)	

둘째 날 2017년 7월 28일(목), 9:30-17:30

트랙 A 영어사용자		트랙 B 한국어 사용자 / 동시통역	
09:30-12:00	세션 4 인권조사기록 패트릭 볼 박사, 인권데이터분석그룹 (HRDAG)	세션 4 법과학 스테판 슈미트	
12:00-13:00	점심식사		
13:00-15:30	패널토론 초국경 시민사회 협력과 아시아지역 인권조사기록 허브 구축방향		
15:30-16:00	휴식		
16:00-17:30	평가토론 발표자 등 연사 포함 주최/협력/후원기관 관계자		

About Organizer



Transitional Justice Working Group(TJWG)

TJWG is a Seoul-based, non-governmental organisation founded by human rights advocates and researchers from five countries in 2014. It is the first Korea-based NGO focussed on transitional justice mechanisms in the world's most oppressive regimes, including North Korea. We aim to develop practical methods for addressing massive human rights violations and advocating justice for victims and societies that are transitioning from a situation of conflict or oppressive government. We seek to build bridges between individuals and groups sharing a common commitment to the principles of democracy and self determination, of peaceful and consensual conflict resolution, and of justice in pre- and post-transition societies.

전환기정의워킹그룹(TJWG)

전환기정의워킹그룹은 5개국 출신 인권 운동가와 연구자들이 2014년 서울에 설립한 인권옹호그룹입니다. 북한을 포함하여 세계의 억압적 정권들이 저질러온 인권침해에 대응하고자 전환기 정의(transitional justice) 실현에 초점을 둔 단체로서는 한반도에 설립된 첫 비정부단체(NGO)이기도 합니다.

단체의 활동목적은 대규모 인권침해에 대응하고, 피해자를 위한 정의를 옹호하며, 분쟁 상황이나 억압적 정권으로부터 전환되는 사회들에 도움될 실질적 방법을 개발하는 것입니다. 또한 아직 전환기가 도래하지 않은 곳이나 전환이 진행되고 있는 사회 모두로부터 민주주의와 자결권, 평화적이고 합의적인 갈등해소, 공정한 정의의 실현이라는 원칙에 공감하는 개인과 그룹들을 잇는 가교가 되고자 합니다.

About Partner



UN Human Rights Office in Seoul

The Office of the High Commissioner for Human Rights (OHCHR) opened its office in Seoul in June 2015. The office was set up in order to monitor how human rights in the Democratic People's Republic of Korea (DPRK) are being respected, and to work with relevant governments, civil society and other actors to promote and protect human rights.

The mandate of OHCHR (Seoul) includes the following objectives:

- Monitor and document the human rights situation in the DPRK.
- Work with governments, civil society and other actors to enhance their capacity to promote and protect human rights in the DPRK
- Maintain awareness of the human rights situation in the DPRK through advocacy and communication
- The structure and its staff function independently and in accordance with UN principles.

유엔인권사무소(서울)

유엔 인권최고대표사무소는 2015년 6월, 서울에 유엔인권사무소를 설립하였습니다. 서울유엔인권사무소는 조선민주주의인민공화국 내 인권 상황을 살피고, 관련 국가 정부, 시민사회 및 기타 이해관계자와 협력하여 조선민주주의인민공화국 내 인권을 증진하고 보호하고자 설립되었습니다.

서울 유엔인권사무소는 다음과 같은 임무를 부여받았습니다.

- 조선민주주의인민공화국 내 인권 상황을 살피고 기록합니다.
- 정부, 시민사회 및 기타 이해관계자 역량 강화를 지원하여 조선민주주의인민공화국 내 인권 증진 및 보호에 기여하도록 합니다.
- 옹호 활동과 소통을 통하여 조선민주주의인민공화국 내 인권 상황에 관심을 갖도록 합니다.

About Sponsors



National Endowment for Democracy(NED)

NED is a private, nonprofit foundation dedicated to the growth and strengthening of democratic institutions around the world. Each year, NED makes more than 1,200 grants to support the projects of non-governmental groups abroad who are working for democratic goals in more than 90 countries. Since its founding in 1983, the Endowment has remained on the leading edge of democratic struggles everywhere, while evolving into a multifaceted institution that is a hub of activity, resources and intellectual exchange for activists, practitioners and scholars of democracy the world over.

전미민주주의기금(NED)

NED는 세계의 민주주의 기관들의 성장과 강화에 헌신하는 민간비영리 기관입니다. 매년 1,200개 이상의 기금을 마련하여 90개국에 넘는 세계 각지에서 민주주의 증진을 위해 일하는 비정부그룹들의 프로젝트를 지원하고 있습니다. 1983년 설립 이래, 다방면으로 전 세계 민주주의 운동가, 실천가, 학자들의 활동과 자원, 지적 교류의 중심점(hub) 역할을 하는 기관으로 발전하면서 세계 어디에서나 민주주의 증진을 위한 분투의 최전선을 지키고 있습니다.



Amnesty International South Korea

Amnesty International is an international NGO dedicated to campaigning for a world where human rights are enjoyed by all. It is entirely independent of any political ideology, economic interest or religion, and it operates based on international law. Amnesty International Office in Korea was established in 1972, and ever since it has focused its efforts on monitoring the human rights situation in South Korea, as well as raising awareness on human rights issues that persist in the Korean society.

국제앰네스티 한국지부

국제앰네스티는 모든 사람이 차별 없이 인권을 누릴 수 있는 세상을 위해 행동하는 국제인권단체입니다. 국제앰네스티는 비정부기구(NGO, Non-Governmental Organization)로서, 국적·인종·종교 등의 그 어떤 차이도 초월하며 정치적 이데올로기와 경제적 이익으로부터 독립적으로, 신중한 조사와 국제사회에서 합의한 기준들을 바탕으로 활동합니다. 국제앰네스티 한국지부는 전 세계에서 활동중인 70여개 국제앰네스티 지부와 사무소 중 하나입니다. 한국지부는 1972년에 설립되어 독재시절을 거치며 40년 넘게 활동해 왔습니다. 인권침해를 모니터링하여 국제 사회에 알리고 한국정부에 인권침해 중단을 요청하는 일들을 중심으로 활동해왔으며, 국내 인권문제 해결을 위한 집중 캠페인 및 국내의 인권의식 증진을 위한 다양한 대중활동을 펼치고 있습니다.

About Sponsors



Asan Institute for Policy Studies

The Asan Institute for Policy Studies is an independent, non-partisan think tank with the mandate to undertake policy-relevant research to foster domestic, regional, and international environments conducive to peace and stability on the Korean Peninsula, as well as Korean reunification.

아산정책연구원

아산정책연구원은 한반도, 동아시아, 그리고 지구촌의 현안에 대한 깊이 있는 정책 대안을 제시하고, 올바른 사회담론을 주도하는 독립 싱크탱크를 지향합니다. 특히 통일-외교-안보, 거버넌스 그리고 공공정책-철학 등의 분야에 역량을 집중하여 우리가 직면한 대내외 도전에 대한 해법을 모색함으로써, 한반도의 평화의 통일 및 번영을 위한 여건 조성에 노력하고 있습니다. 또한 아산정책연구원은 공공외교와 관련분야 전문가를 육성해 우리의 미래를 보다 능동적으로 개척할 수 있는 역량을 키우는데 이바지하고자 합니다.



KOREA UNIVERSITY
Human Rights Center

Korea University Human Rights Center(IHRC)

IHRC at the Graduate School of International Studies at Korea University is an interdisciplinary center for research and education on human rights issues. The center offers an academic environment for bright scholars, policy-makers, activists, and highly qualified students who are interested in international human rights. The center is currently conducting research related to various aspects of human rights issues, such economic sanctions, human rights laws, rights-based development, global poverty, business and human rights, humanitarian intervention, democratizations, women issues, and civil society. Maintaining a regional focus, human rights violations and practices in Asia have been extensively studied in the center.

고려대학교인권센터 (IHRC)

고려대학교인권센터는 인권 분야 연구와 교육을 위한 학제 센터입니다. 이 센터는 학자들과 정책입안가, 활동가, 인권에 관심이 있는 잘 훈련된 학생 등을 위해 학문적 환경을 제공합니다. 또한 현재는 경제 제재, 인권법, 권리-기반 개발, 국제 기아, 비즈니스와 인권, 인도적 개입, 민주화, 여성 문제, 시민 사회 등과 같이 인권 이슈의 다양한 관점과 연관된 연구를 진행하고 있습니다. 지역 문제에 초점을 맞추며, 이 센터에서는 아시아의 인권 위반과 사례들이 광범위하게 연구되고 있습니다.

Speakers Biographies

연사 소개



Friedhelm Weinberg

Executive Director, HURIDOCs

HURIDOCs was founded in 1982 as a global network of human rights organisations to pool expertise on how to organise, manage and use information effectively to promote and protect human rights. Friedhelm Weinberg oversees HURIDOCs' projects and partnerships around the globe since he first joined HURIDOCs in 2012. Over the years, he has taken on a variety of roles, including communications and project management and most recently as Deputy Director. Previously, he has worked as a journalist in his native Germany.

프리드헬름 웨인버그

휴리독스(HURIDOC) 대표

휴리독스는 인권을 증진하고 보호하려면 어떻게 정보를 수집하고 관리하고 효과적으로 활용해야 할지에 관한 전문 지식과 기술, 도구를 전 세계의 인권그룹들에게 제공하는 전문단체로 1982년 설립되었다. 프리드헬름 웨인버그는 2012년부터 휴리독스에 합류하여 프로젝트와 대외 협력 관계를 총괄해왔고, 현재 대표를 맡고 있다.

지난 수 년간 커뮤니케이션 디렉터, 프로젝트 매니저 등 많은 직책을 맡아왔으며, 최근까지는 부대표로 일해 왔다. 휴리독스에 합류하기 전에는 독일에서 저널리스트로 일했다.



Nevenka Tromp, Ph.D.

Executive Director of Geoffrey Nice Foundation and Former Principle Researcher for the ICTY's team prosecuting Slobodan Milosevic, former President of Serbia

Dr. Nevenka Tromp studied Political Science at the University of Zagreb and Russian Studies at the University of Groningen, The Netherlands. She has been working in the Department of European Studies at the University of Amsterdam since 1992. She worked as a Researcher on the Leadership Research Team in the Office of Prosecutor (OTP) at the International Criminal Tribunal for the Former Yugoslavia (ICTY), where she was principle researcher on history and politics in the trial of Slobodan Milošević. She also worked on other key cases, most notably that of Radovan Karadžić. Tromp received her PhD from the University of Amsterdam's Centre for War, Holocaust and Genocide Studies in spring 2015. She is the co-founder and Executive Director of the Geoffrey Nice Foundation on Law, History, Politics, and Society in the Context of Mass Atrocities, which supports and provides cross-national educational opportunities for students, researchers, and academics in the field of International Criminal Justice. Tromp's book "Prosecuting Slobodan Milošević: The Unfinished Trial" has been published by Routledge Publishers in 2016.

네벤카 트롬프 박사

제프리나이스재단 대표, 구유고슬라비아 국제형사재판소(ICTY) 슬로보단 밀로세비치 소추팀 전 수석조사관

크로아티아 자그레브대학교와 네덜란드 그로닝겐대학교에서 각각 정치학과 러시아학을 전공했고, 1992년부터 암스테르담 대학교 유럽학과에서 연구해왔다. 구 유고슬라비아 국제형사 재판소 소추부에서는 수석조사관으로서 슬로보단 밀로세비치 사건 및 중요한 소송을 맡았다. 2015년 암스테르담 대학교의 홀로코스트와 제노사이드(특정집단 살해) 연구학 박사학위를 취득했으며 2016에는 국제형사 재판소에서의 경험을 토대로 한 책 “끝나지 않은 재판: 밀로세비치의 기소”를 출간했다. 제프리나이스재단의 공동창립자이자 대표이다.



Patrick Ball, Ph.D.

Director of Research, Human Rights Data Analysis Group (HRDAG)

Patrick Ball has spent more than twenty years conducting quantitative analysis for truth commissions, non-governmental organizations, international criminal tribunals, and United Nations missions in El Salvador, Ethiopia, Guatemala, Haiti, South Africa, Chad, Sri Lanka, East Timor, Sierra Leone, Kosovo, Liberia, Perú, Colombia, the Democratic Republic of Congo, and Syria. From 2013 through 2015, Patrick was Executive Director of HRDAG; on December 1, 2015, he became the Director of Research. Patrick provided testimony in two cases at the International Criminal Tribunal for the former Yugoslavia, the first in the trial of Slobodan Milošević, the former President of Serbia. He also provided expert testimony in Guatemala's Supreme Court in the trial of General José Efraín Ríos Montt, the de-facto president of Guatemala in 1982-1983. In September 2015, Patrick provided expert testimony in the trial of former President of Chad. Patrick received his bachelor of arts degree from Columbia University, and his doctorate from the University of Michigan.

패트릭 볼 박사

인권데이터분석그룹(HRDAG) 리서치 디렉터

패트릭 볼 박사는 지난 20여년간 엘살바도르, 에티오피아, 과테말라, 아이티 등 총 13개국에서 비영리단체, 국제재판소, 유엔 및 진상규명위원회들의 분석적 연구를 해왔다. HRDAG에서 2013년부터 2015년까지 대표를 역임했고, 현재 리서치 디렉터로 활동하고 있다. 구 유고슬라비아 국제형사재판소에서 밀로세비치 재판을 포함한 두 재판과 과테말라 대법원에서 열린 몬트 전 대통령의 재판에서 분석 전문가로서 참여했고, 2015년 9월에는 차드 전 대통령 히세네 하브레의 재판에서 전문가증인으로 나섰다. 미국 컬럼비아대학교에서 학사 학위를, 미시간대학교에서 박사학위를 취득했다.



Stefan Schmitt, M.S.

Former Director of the International Forensic Program, Physicians for Human Rights (PHR)

Stefan Schmitt had directed PHR's International Forensic Program. Most recently, Schmitt documented a massacre by Qaddafi forces in Tripoli for Libyan authorities and the International Criminal Court. Subsequently, the authorities asked him to assemble a team of forensic and legal experts to conduct a human identification needs assessment and gap analysis to advise on identifying the dead from Libya's revolution. Internationally, Schmitt has worked for the International Criminal Tribunals for Rwanda and the former Yugoslavia and as a forensic consultant to the UN in Afghanistan, Iraq, and Liberia, among others. He has also consulted for human rights groups around the world on cases where forensic science documents human rights abuses. Since 2008, he has been implementing as a means to implement a transitional justice process. Schmitt holds a BA in anthropology from Universidad del Valle, Guatemala, as well


스테판 슈미트

인권올위한의사회(PHR) 전 국제법과학프로그램 디렉터

인권을 위한 의사협회(PHR) 국제법과학프로그램을 총괄했다. 최근에는 카다피 정부군이 저지른 학살을 조사 기록하여 리비아 정부와 국제형사재판소에 제공했다. 이후, 이러한 기관들의 요청으로 법과학 및 법학 전문가들로 구성된 조사팀을 꾸려 리비아 혁명 당시 사망자들의 유해 발굴 필요성과 신원 감식에 관해 자문했다. 르완다 국제형사 재판소와 구 유고슬라비아 국제형사재판소를 지원하였고, 아프가니스탄, 이라크, 라이베리아 등지에서 유엔 법과학 컨설턴트로 일했다. 또한 인권유린에 관한 조사기록활동을 하는 세계 각국 인권단체들에 조언해왔다. 2008년 아프가니스탄에서는 진실규명과 법과학에 기반한 전환기 정의 프로젝트를 진행해오고 있다. 과테말라 벨리대학교에서 인류학을 전공했고, 플로리다주립대학교에서 범죄학 이학석사학위를 취득했다.

Information Technology

Friedhelm Weinberg
Executive Director, HURIDOCS



Mapping information and Risk

About HURIdocs

- Based in Geneva, Switzerland, with 20 staff around the globe.
- Founded in 1982.
- HURIDOCS believes that human rights defenders who have reliably documented, structured, searchable and shareable information are empowered to promote the truth about violations, seek redress for victims and oppose cultures of impunity.
- HURIDOCS provides direct support, builds open source tools, facilitates community discussions.

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Rules

- Respect
- Confidentiality
- Participation – bring your questions!
- Share your experience – listen to others

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정보기술

프리드헬름 웨인버그
휴리독스(HURIDOC) 대표



정보와 위험 매핑

HURIDOCS 소개

- 스위스 제네바에 위치하고 있으며 세계 각지에서 모인 20여명의 스태프로 구성
- 1982년도에 설립됨
- 휴리독스는 탐색과 공유가능한 정보를 구조화하고 기록문서화한 인권운동가들이 권한을 갖고 인권유린에 대한 진상규명, 피해자들에 대한 보상, 처벌 받지 아니한 문화에 대한 저항을 추진하는데 기여하고 있다고 여김
- 휴리독스는 직접적 지원을 제공하고 오픈 소스를 건설하고 소통과 공론화의 장을 축진한다.

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규칙

- 존중
- 비밀보장
- 참여 – 적극적 질문!
- 경험 공유 – 경청

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Agenda

- 1) Disagreeing with each other
- 2) Mapping information and modeling risk
- 3) Work with peers
- 4) Synthesis and resources

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Statement 1

“More information is always better”

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Statement 2

“Managing risk is more important than achieving our (advocacy) goals”

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Statement 3

“Without technology, we could not do our work.”

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의제

- 1) 합의되지 않은 사항에 대한 논의
- 2) 정보 매핑과 위험 모델링
- 3) 상호 협력
- 4) 자원과 통합

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STATEMENT 1

• “정보는 많을 수록 좋다”

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STATEMENT 2

• “목표를 성취하는 것보다 더 중요한 것은 위험관리”

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STATEMENT 3

• “기술 없이는 어떠한 작업도 할 수 없다”

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Start with goals

- Begin by stating your goals: What do we need and for what purpose?
- Examples:
 - Gather evidence on individuals for national litigation
 - Reconstruct events where large-scale human rights violations occurred
 - Does the population enjoy the right to health – budget and spending
 - National advocacy for legislative change

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Terminology

MONITORING -- the close observation of a situation or individual case carried out so as to determine what further action needs to be taken.

FACT-FINDING -- identifying the violations in one event, and establishing the facts relevant to these violations. Fact-finding and investigation are terms that are used interchangeably.

DOCUMENTATION -- the systematic recording of the results of the investigation of one or several events.

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Methodologies and approaches

Two complimentary approaches:

“Violations” approach

“Progressive realisation” approach

Two complementary methodologies:

Events-based methodologies (acts and events)

Indicators-based methodologies

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Principles

- Accuracy
- Confidentiality
- Impartiality
- Sensitivity

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목표와 함께 시작하라

- 먼저 당신의 목표를 정하라 : 우리가 필요한 것은 무엇이며, 어떠한 목적을 위해서인가?
- 예시:
 - 국가 소송을 위해 개개인에 대한 증거를 수집하라
 - 대규모 인권유린이 발생한 사건들을 재구성하라
 - 연구의 대상이 되는 집단이 건강할 권리를 누리고 있는가-예산과 지출
 - 입법상 변화를 위한 국가적 지원

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주요 용어

모니터링 -- 시행된 개별적 사건과 상황을 철저히 관찰하여 이후 추가적 조치에 대해 고려.

사실 인정 -- 한 사건의 위배사항에 대해 확인하며, 관련 사실을 정립. ‘사실인정’과 ‘조사’는 서로 교체 가능한 용어이다.

조사기록 -- 한 건의, 혹은 다수의 사건에 대한 조사의 결과를 체계적으로 기록하는 것.

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방법론적 접근

두 가지 상호보완적 접근:

“위반” 관련 접근

“진보적 자각” 접근

두 가지 상호보완적 방법론:

사건 중심의 방법론 (행동과 사건)

지표 중심의 방법론

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원칙

- 정확성
- 비밀보장
- 중립성
- 예리함

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What information

- What types of information: testimonies, photos, videos, social media, satellite (first hand vs. second hand)
- What is the quality of the information?
 - Independence of sources
 - Internally consistent
 - Fresh
 - Level of detail
- Indicate the level of confidence, in case of doubt

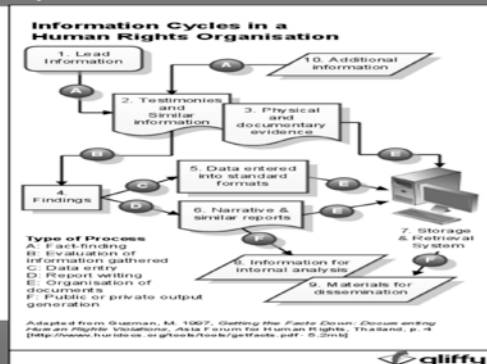
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What can we do

- How much time do we have?
- Is there direct access?
- Should we work on our own or can we collaborate?
- What resources can we (likely) commit?
- Training needs of our collaborators?
- Do we have/need technologies?

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Example cycle



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Risk assessment

- Digital, physical and psychosocial aspects
- One is often linked to the other
- Risk assessment helps prioritise, prepare and react
- Ongoing process

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정보

- 정보의 종류: 증언, 사진, 영상, 대중 매체, 인공 위성 (직접적 vs. 간접적)
- 정보의 질
 - 원천 정보 간의 독립성
 - 일관성
 - 신선함
 - 상세도
- 의구심이 들 땐, 신뢰도를 확인하라

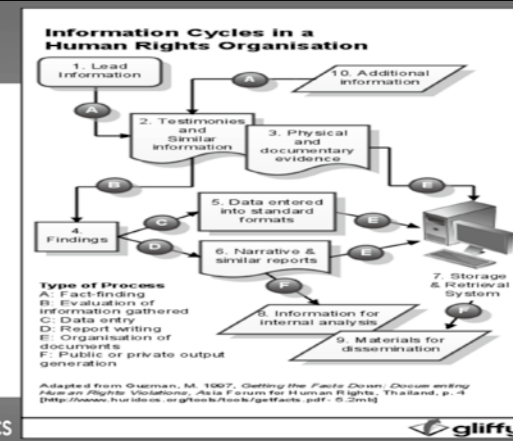
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우리가 할 수 있는 것

- 시간을 얼마나 남았는가?
- 직접적 접근이 가능한가?
- 독립적으로 일해야 하는가, 협력해야 하는가?
- 어떤 자원을 활용할 수 있는가?
- 협력자들에게 교육 훈련이 필요한가?
- 우리에게 기술이 있는가/필요한가?

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예시



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위험 관리

- 디지털, 물리적, 심리사회적 관점
- 빈번한 상호 연결성
- 위험관리는 우선순위를 정하고, 준비하고, 반응하는데 도움을 준다
- 지속적인 과정

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Terminology

- Asset: Type of Information (paper binder, testimony, smartphone picture)
- Adversary: Who wants information
- Threat: What can adversaries do (confiscation, phishing emails)
- Likelihood: What are the odds based on what we know?
- Consequences: What happens, if a threat materialises?

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Overview

Asset	Adversary	Threat	Likelihood	Consequences

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What next?

- Prioritise those that are likely and of severe consequences
- Identify measures to prevent or limit impact
- Reconsider plans, if necessary – are we still able to achieve our goals?

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Group work

- Choose
 - Map information flow OR
 - Model risks (and response)
- Interview partner
 - Ask questions to allow for reflection
 - Seek advice on challenges you face
 - What is the role of technology?

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용어

- 자산 : 정보의 종류(서류 바인더, 증언, 스마트폰 사진)
- 적 : 정보를 원하는 쪽
- 위협 : 적들이 가하는(몰수, 사기성 이메일)
- 가능성 : 알고 있는 정보를 바탕으로 확률 추정
- 결과 : 위협적인 상황이 구체화될 때의 결과 예측

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개요

자산	적	위협	가능성	결과

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이후 단계

- 일어날 가능성이 높고 심각한 결과를 초래할 수 있는 사항을 우선순위로 둘 것
- 그러한 결과의 영향력을 막거나 제한하는데 필요한 조치들을 확인
- 필요하다면 계획을 재고려하라 - 우리는 여전히 목표를 달성할 수 있는가?

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그룹별 토의

- 선택
 - 정보의 흐름 혹은 매핑
 - 위협과 반응 모델링
- 파트너 인터뷰
 - 서로에게 질문하며 함께 심사숙고
 - 각자가 직면하고 있는 어려움을 공유하고 조언 구하기
 - 기술의 역할은 무엇인가?

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Summary

- Need to understand goals, realities and work flows
- Assess risks and take action
- Identify resource and technology needs

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Resources: tools

- HURIDOCS Collaboratory: <https://collaboratory.huridocs.org/>
- OpenEvsys: <https://www.openevsys.org/>
- Uwazi: <https://www.uwazi.io/>
- Martus: <https://martus.org/>
- Corroborator: <https://equalit.ie/portfolio/corroborator/>

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Resources: manuals

“What is Documentation?”, HURIDOCS,
<https://www.huridocs.org/resource/what-is-documentation/>
“What is Monitoring?”, HURIDOCS,
<https://www.huridocs.org/resource/what-is-monitoring/>
„Events Standard Formats”, HURIDOCS,
<https://www.huridocs.org/resource/huridocs-events-standard-formats/>
“Micro-Thesauri”, HURIDOCS,
<https://www.huridocs.org/resource/micro-thesauri/>

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Resources: risk modelling

- Organisational Security
 - <https://orgsec.community/display/OS>
- Holistic Security
 - <https://holistic-security.tacticaltech.org/>
- SAFETAG
 - <https://safetag.org/>
- Level Up
 - <https://www.level-up.cc/>

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결론 요약

- 목표와 현실, 그리고 일의 흐름을 이해할 필요성
- 위험 평가 이후 행동 개시
- 자원과 기술의 필요성 확인

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자료 출처 : 도구

- HURIDOCS Collaboratory: <https://collaboratory.huridocs.org/>
- OpenEvsys: <https://www.openevsys.org/>
- Uwazi: <https://www.uwazi.io/>
- Martus: <https://martus.org/>
- Corroborator: <https://equalit.ie/portfolio/corroborator/>

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자료 출처 : 매뉴얼

“What is Documentation?”, HURIDOCS,
<https://www.huridocs.org/resource/what-is-documentation/>
“What is Monitoring?”, HURIDOCS,
<https://www.huridocs.org/resource/what-is-monitoring/>
„Events Standard Formats”, HURIDOCS,
<https://www.huridocs.org/resource/huridocs-events-standard-formats/>
“Micro-Thesauri”, HURIDOCS,
<https://www.huridocs.org/resource/micro-thesauri/>

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자료 출처 : 위험 모델링

- Organisational Security
 - <https://orgsec.community/display/OS>
- Holistic Security
 - <https://holistic-security.tacticaltech.org/>
- SAFETAG
 - <https://safetag.org/>
- Level Up
 - <https://www.level-up.cc/>

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Thank you

Contact me at friedhelm@huridocs.org
Visit our website: <https://huridocs.org/>

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THANK YOU

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The Law

Nevenka Tromp, Ph.D.

Executive Director of Geoffrey Nice Foundation and Former Principle Researcher for the ICTY's team prosecuting Slobodan Milosevic, former President of Serbia

In Search for Evidence

INVESTIGATING AND PROSECUTING POLITICAL LEADERS FOR MASS- ATROCITIES

by
Dr. Nevenka Tromp
Seoul, July 2017

EVIDENCE

- actus reus – criminal act(s)
- mens rea – state of mind

법

네벤카 트롬프 박사

제프리나이스재단 대표, 구유고슬라비아 국제형사재판소(ICTY) 슬로보단 밀로세비치 소추팀 전 수석조사관

증거 조사

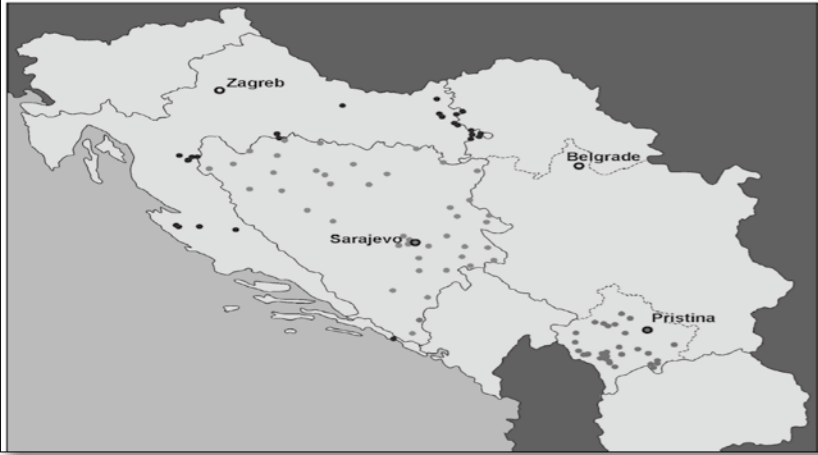
정치 지도자들의 대규모 잔혹행위에 대한 조사와 기소

by
Dr. Nevenka Tromp
Seoul, July 2017

증거 자료

- actus reus – 범죄 행위(들)
- mens rea – 범죄 의도

Slobodan Milošević's Indictment 1991-1999



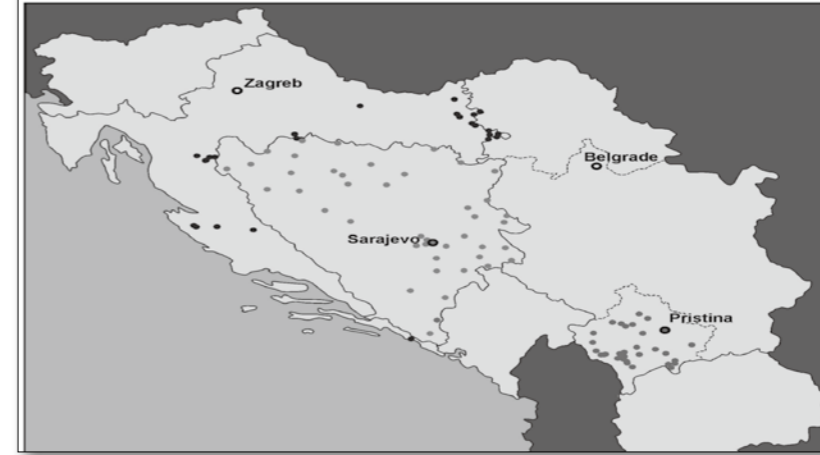
Witnesses for Crime Scene (Actus reus)

- Investigators
- Eye Witnesses
- Survivors/Victims
- Forensic Experts
- Pathologists
- Forensic Anthropologists
- Archeologists

Collecting Mens Rea Evidence

- Investigators
- Lawyers
- OTP's Leadership Research Team
- OTP's Military Analyst Team

슬로보단 밀로셰비치의 폐단의 흔적 1991-1999



범죄 현장에 대한 증인 (Actus reus)

- 조사관
- 목격자
- 생존자/희생자
- 법의학 전문가
- 병리학자
- 법인류학자
- 고고학자

범죄 의도 증거 수집

- 조사관
- 변호사
- OTP's 리더십 조사 팀
- OTP's 군사 분석 팀

Witnesses for proving state of mind or criminal intent (Mens rea)

- **Policy Witnesses** – Insiders, Internationals (peacemakers, peacekeepers, diplomats, humanitarian workers)
- **Fact Witnesses** – Journalists, Human Right Activists
- **Character Witnesses** – Insiders, fellow politicians, Internationals
- **Expert Witnesses** – on history and politics, demographers, on anthology of genocide and mass atrocities

Locating the evidence to prove criminality of a political leader

- **State Archives** - of the states that were involved in the conflict/wars

Locating the evidence to prove criminality of a political leader

- **State Archives** - of the states that were involved in the conflict/wars
- **International Institutions Archives** (UN, EC. ICTY, UNPROFOR, OSCE...)

범죄 의도 증명을 위한 증언 (Mens rea)

- **정책 증언** – 내부자, 외국인(중재자, 평화유지군, 외교관, 인도주의자)
- **사실관계 증언** – 언론인, 인권운동가
- **성격 증언** – 내부자, 동료 정치인, 외국인
- **전문가 증언** – 역사와 정치에 관하여, 인구 통계학자, 집단 학살과 대규모 잔혹행위에 대한 문학

정치 지도자의 범행을 증명하기 위한 증거의 정확한 위치 찾기

- **국가 기록보관소** - 갈등과 전쟁을 겪은 국가

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- **Defence Witnesses**
- **Private Archives**

Excerpts from Milosevic Prosecution Exhibit 395

Evidence provided by a local photographer

- Documenting the war by citizens of Dubrovnik in the autumn of 1991
- The Croatian Indictment Period, 1991-1992 and 1995

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- **검찰측 증인**
- **개인 기록보관소**

Excerpts from Milosevic Prosecution Exhibit 395

현지 사진작가의 증거

- 1991년 가을 듀브로브니크 시민들이 제공한 전쟁 기록
- 크로아티아 폐단 기간(1991-92년, 1995년)



Open Sources: Journalist as Providers of the Evidence

- Execution of Bosnian Muslim in the Bosnian town of Brčko in 1992 by Goran Jelisić also known as Adolf, who was tried and indicted and tried by the ICTY
- Brčko was also included in the Milošević indictment for Bosnia and Herzegovina, 1992-1995

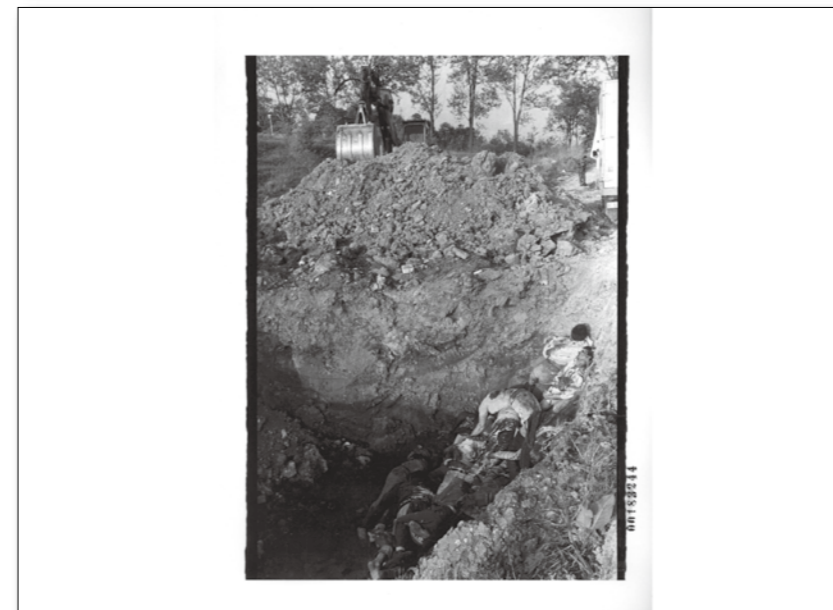
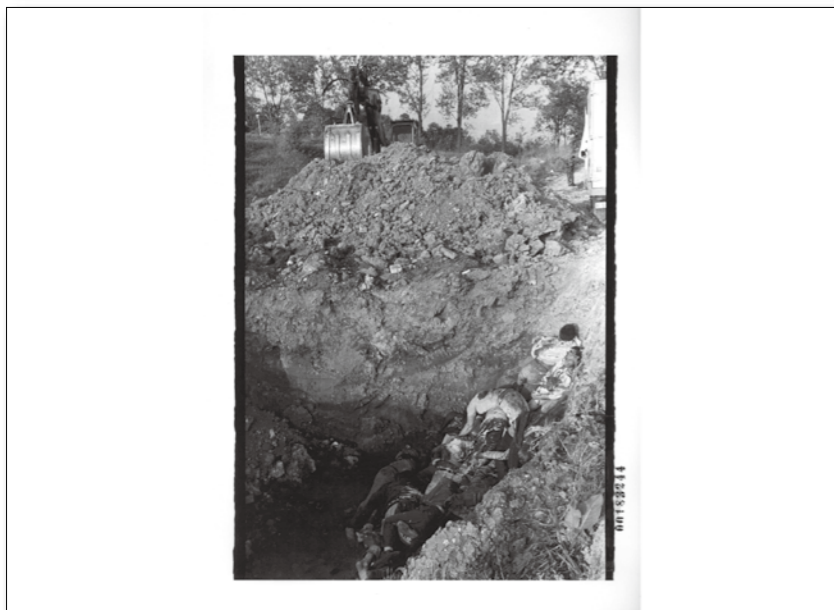
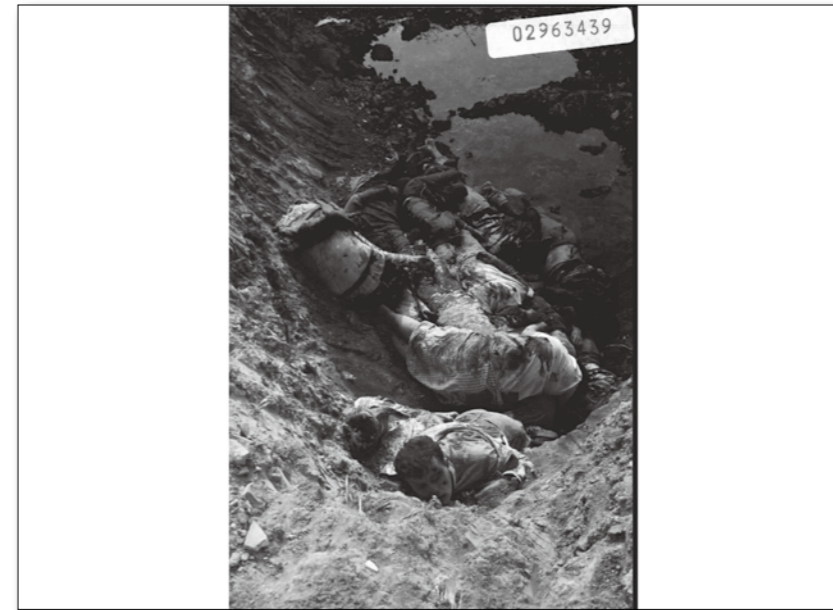
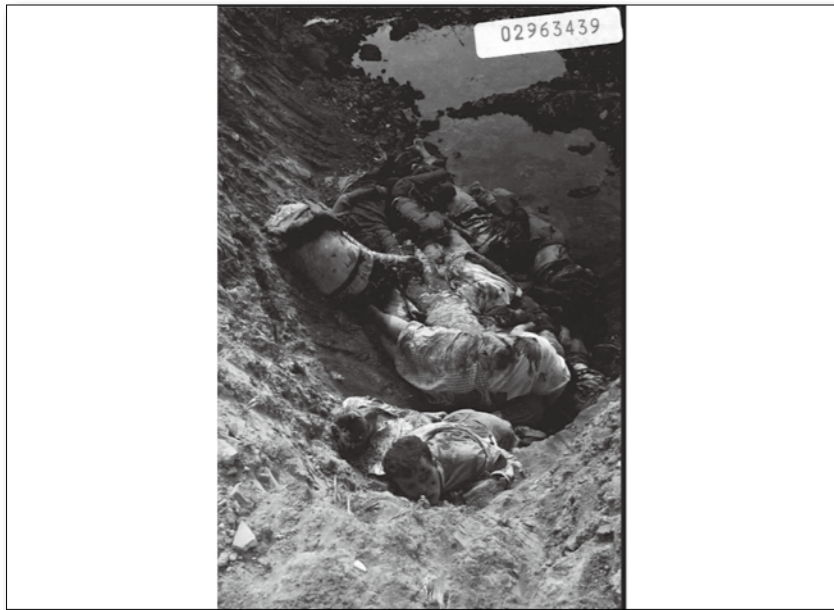


오픈 소스 : 증거 제공자인 언론인

- 국제형사법원에 의해 기소되고 재판을 거친 고란 엘리시크(아돌프)가 자행한 1992년 브르츠코 보스니아 마을의 보스니아-무슬림 처형
- 브르츠코는 또한 92년부터 95년까지의 밀로셰비치의 보스니아, 헤르체고비나 폐단의 장소이기도 함







Documentary Evidence from the Serbian State Archive

- Supreme Defence Council (SDC) documents
- Labeled as a State Secret
- Initially Protected by Belgrade
- Important for the indictment period for Bosnia and Herzegovina 1992-1995
- And for the Kosovo indictment 1998-1999

세르비안 국가 기록보관소의 문서 증거

- 최고 국방 위원회(SDC) 문서
- 국가 기밀로 봉인됨
- 베오그라드(유고슬라비아 수도)에 의해 최초로 보호됨
- 1992년-1995년의 보스니아, 헤르체고비나 폐단의 중요 증거 자료
- 또한 1998년-1999년의 코소보 폐단의 중요 증거 자료

will probably repeat it in the other part, very probably in the Bihać sector. They are already threatening and were threatening before. It nearly happened in the Tuzla sector yesterday; in the Doboj sector or Gorazde again - all with the objective of cutting the corridor and bringing the Serbian people in Republika Srpska and the Republic of Serbian Krajina before a fait accompli - to accept a confederal or some similar negative solution.

Further, they will try to connect the "green transversal" without armed rebellion through Kosovo - they will try to do it without armed rebellion.

The following would be the creation of a third Yugoslavia which would include the eastern speech region, Croatia, BH, Serbia and Montenegro, without Macedonia, which is under direct USA influence, and Slovenia, which is under German influence, although this alternative is in many ways unacceptable.

This alternative does not suit the Serbian people because three very important things remain: the issue of Siptars (Serbs) remains unresolved, and the influence of Turks and of course, Unshas is still possible.

Fourth, our chances to control the crisis are based on the following: that we continue disrupting their scenario as we have done so far, we have almost completely realized our objectives with weapons. We must maintain this and with wise politics before the international community manage somehow to have it all endorsed.

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By pursuing a unanimous policy, and quite successfully in my mind, we have managed to save the country from war, and at the same rendered as much support as possible to our people across the Drina in creating Republika Srpska, in creating the Republic of Serbian Krajina, and in winning them a normal status in the negotiations leading to an ultimate goal, which now even the international community has offered to recognize. And that is Republika Srpska stretching over a half of the territory of the former Bosnia and Herzegovina!

A new plan, or whatever, has been mentioned. It can be dubbed it in many ways: "a new plan", "the same plan", "improvements", etc. But my firm conviction - and let's not get together in a debate - is that it is absolutely impossible to expect that the international community will endorse any solution granting Republika Srpska more than half the territory of Bosnia and Herzegovina! The present solution offered by the international community allows even that, but on condition of an exchange based on the accepted Plan. It is no secret that there have been concrete talks on the giving up by Republika Srpska of Vogošća and Eljaci, and possibly Hadžići and parts of Sarajevo, which would disturb the "fifty-fifty" proportion. As I.B.J.C. has put it rightly in his interview, the first territory that DEBREGOVIC would gladly get rid of is Orsen, for example. President HULATOVIC and I had talks with them on numerous occasions in Geneva and other places, and we know that, when he had been offered Orsen in the first division, he flatly refused to discuss it at all because he believed that Orsen, being one hundred percent populated by the Serbs, had no place in a Muslim state.

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1044_7108_0141_7079_0202[Engl_moratorium]

The question is: are the Serbs of Bosnia and Herzegovina, who constitute a third of the population, entitled to more than a half of the territory, and do we believe that the international community will approve a militarily imposed solution affording them more than a half of the territory? And will it ever recognise anyone's goals achieved by military means?

I sincerely believe that, being exposed to pressure from the world in this very critical phase, we managed to achieve the maximum that many have never even dreamed of, and that is that we have on the table an offer by the international community to legalise Republika Srpska on a half of the territory. This emerged within the balance among five super powers. It is a complex issue that we tend to overlook. They do not represent a homogeneous entity negotiating with the Serbs, but rather a very heterogeneous one. They have reached a consensus which is neither anti-Serbian nor detrimental to the Serbs in general, because it offers legalisation of a state stretching across half of the territory of Bosnia and Herzegovina, while the people account for one third of the population. Be practical and look at the figures: one million of inhabitants are to be given a territory of 25,000 square kilometres; that makes 40 inhabitants per square kilometre; that's the population density! In 1945, when Yugoslavia emerged devastated from the war with the population of barely 15 million people and the population density of slightly over 60 inhabitants per square kilometre, it ranked among countries with the lowest population density in Europe! A state is made up of two basic elements: the territory and the population. In this particular case, the territory is a huge element - 25,000 square kilometres, which equals two states of Montenegro, whereas the population is a meagre element - one

1044_7108_0141_7079_0202[Engl_moratorium]

million. The policy pursued is to totally diminish this meagre factor, make it negligible, and expose it to further suffering, so as to illegally exert potential pressure and expand the territory which is already too big for a reasonable settling. If it were bigger, the problem of how to cover it with settlers becomes augmented, because it could be lost without a single bullet by bringing in other settlers in the years to come, due to the lack of own population, which would result in weak borders; borders in Europe are no longer an obstacle for normal movement of population, for immigration, markets, and for the flow of goods, capital, people, etc. It is absolutely unrealistic and not on anyone's mind that borders will remain intact in terms of potential immigration, demographic expansion, etc.

Therefore, a sound national policy must take all this into account. We have actually been offered to expand the territory by one-fourth, because Yugoslavia's territory is 102,000 square kilometres, and to increase the population by one-tenth! And to legalise it as well! And even to have a confederation right away! KOZDZHEV told me that quite clearly. The leadership of Republika Srpska knows that in that way we shall be given the right to legally defend those borders. This rules out the Iraqi syndrome of illegally entering a territory and then being exposed to strikes. In this manner, we shall be legally entitled to defend the borders. At the same time, there is an offer to create a military alliance with Russia, which would ensure supply of military and other equipment and set up a safe and solid defence system, a single strongest army in the Balkans, etc.

All this, however, is being put at risk by a fixation that "perhaps one- or two-hundredth of the territory could be acquired if the Plan is rejected." In my opinion,

1044_7108_0141_7079_0202[Engl_moratorium]

English Translation: 07/04/2002 09:07 AM

interested in the number of bullets. You do not get into the economy of bullet manufacture.

That economy must ensure that production of all means of war that we have goes smoothly.

Paris BULATOVIC:

And it does not refer to that kind of companies only. The Federal Government passed a decree on companies, which have special significance for our defence. We make contracts with them and plan production, i.e. services which should meet all our needs.

Stevan MILOSEVIC:

Do you remember how ŠVERCAs worked/did it in Germany, and he was by far the most efficient minister of economy. They captured half the world. Wartime organisation of the Ministry of Economy in relation to the needs of let us say the Army, does not involve market relations or currency values any more. It must be as follows. ŠADNOVIC, who is Minister of Economy, must have a plan. And then he says - officer in charge of the ammunition production is obliged to provide this and that amount of brass, this and that amount of some iron material, this and that amount of lead, this and that amount of copper, etc. That is a daily, weekly, monthly amount needed for untended operation of the factory. Then he knows what he gets from the and what is the dynamics of supply. He knows what he gets from Kabilov, what he gets from steelworks, etc. He makes an overview of what he is supposed to receive in kind. That is where counting of prices stops because there is no economy.

-26-

War is not economy, but, at the same time, it is the largest economy because everything must be rationalised.

Therefore, here it is not the question of whether we respond to these needs, but if we do not respond to the needs adequately, it is the same as if we have not responded at all. If you simulate that you have received something, then we would

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English Translation 27 000 0200 0001 0007

Radoje KOVČIĆ:

We formed the group for current issues. It has to finish this job. Of course, there must be an active involvement of the General Staff in this matter.

24.

Momčilo PERIŠIĆ:

The issue of supply for the population must be included in it too...

Stjepan MILOŠEVIĆ:

It should be made in such way so that we can see how the country would function in the state of war!

Zoran UBIJAIĆ:

It is clear. I think that 30 days are enough to do that.

Stjepan MILOŠEVIĆ:

All salaries and pensions are to be cancelled; the basic necessities are to be determined per a household member; rationalised supply of employees - everything must be included. Furthermore, the food, necessary clothes, medicines must be included too! There are no more shopping, selling, trade; black marketers are to be arrested and executed by firing squad!

You say here, "first 15 days of terrorist..." and you act with 130,000 soldiers. You don't act with 130,000 people, you have additional 100,000 police forces that will act in terrorist and other situations, special police units - they will all act together with the Army.

Momčilo PERIŠIĆ:

Fine, I thought that I was not in charge of proposing all that?

027 0007

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027 0007

English Translation 27 000 0200 0001 0007

Stjepan MILOŠEVIĆ:

Yes, I understand. But all this must be interrelated.

For example, the most beautiful town in Kosovo, the one in which the Šiptar Aborigines for Albanians/ separatists invested the most, i.e. the Dukovica group, is Dukovica. There is no prettier, richer or more organised town in Kosovo than Dukovica. It is situated in the most beautiful place, and there is a former barracks a bit uphill, currently abandoned.

25.

An armoured motorised unit should be relocated there so that they know that their treasure will under attack tomorrow if something that must not and need not start happening. They need to know that the army exists and that it is there.

Momčilo PERIŠIĆ:

But Mr. President, we have a barracks there.

Stjepan MILOŠEVIĆ:

You have nothing there!

Momčilo PERIŠIĆ:

I have a battalion there.

Stjepan MILOŠEVIĆ:

No you don't, you don't, you have an empty barracks!

Momčilo PERIŠIĆ:

027 0007

English Translation 27 000 0200 0001 0007

Stjepan MILOŠEVIĆ:

Yes, I understand. But all this must be interrelated.

For example, the most beautiful town in Kosovo, the one in which the Šiptar Aborigines for Albanians/ separatists invested the most, i.e. the Dukovica group, is Dukovica. There is no prettier, richer or more organised town in Kosovo than Dukovica. It is situated in the most beautiful place, and there is a former barracks a bit uphill, currently abandoned.

25.

An armoured motorised unit should be relocated there so that they know that their treasure will under attack tomorrow if something that must not and need not start happening. They need to know that the army exists and that it is there.

Momčilo PERIŠIĆ:

But Mr. President, we have a barracks there.

Stjepan MILOŠEVIĆ:

You have nothing there!

Momčilo PERIŠIĆ:

I have a battalion there.

Stjepan MILOŠEVIĆ:

No you don't, you don't, you have an empty barracks!

Momčilo PERIŠIĆ:

027 0007

03088510

President

Acad of arm/ FEDERAL REPUBLIC OF YUGOSLAVIA DEFENCE STATE SECRET
 DT state secret no. 522
 13 June 1995
 BELGRADE

MINUTES

of the THIRTY-SIXTH session of the Supreme Defence Council
 held on 12 May 1995

[REDACTED]

027 0007

03088510

President

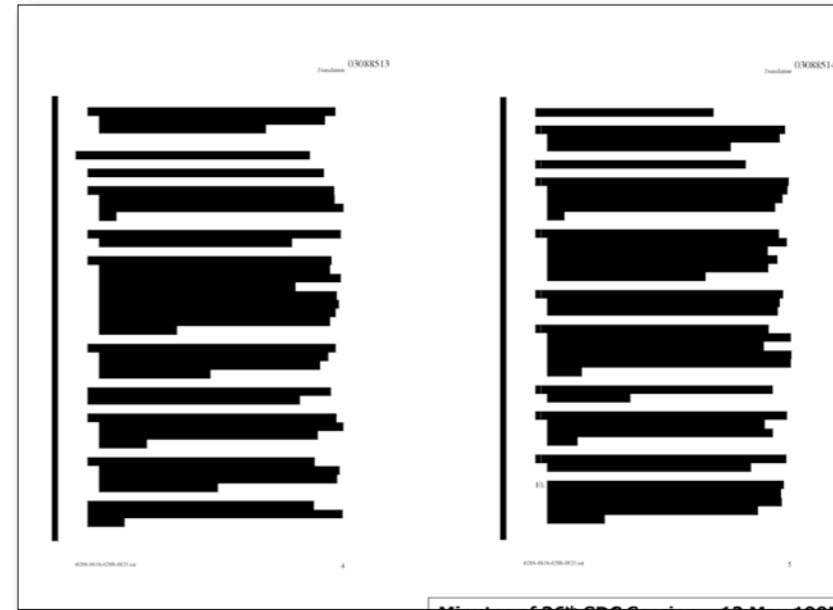
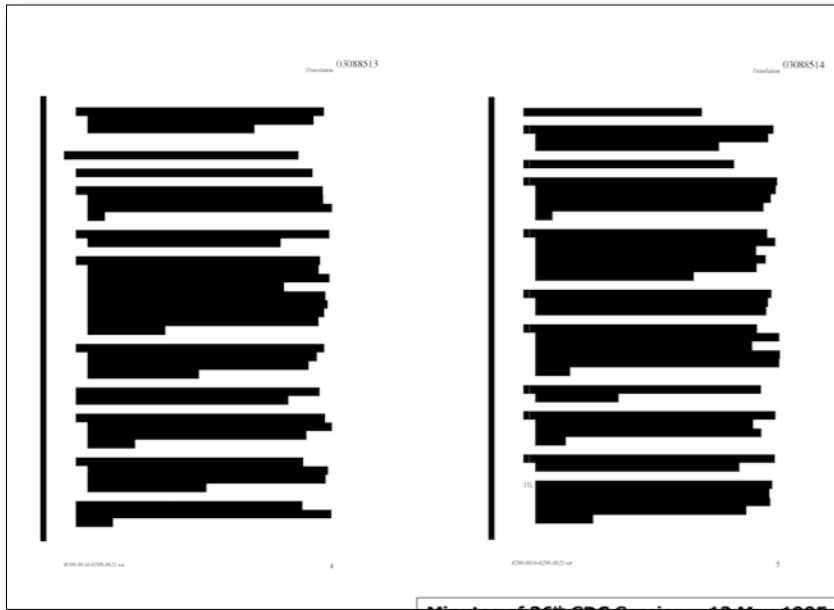
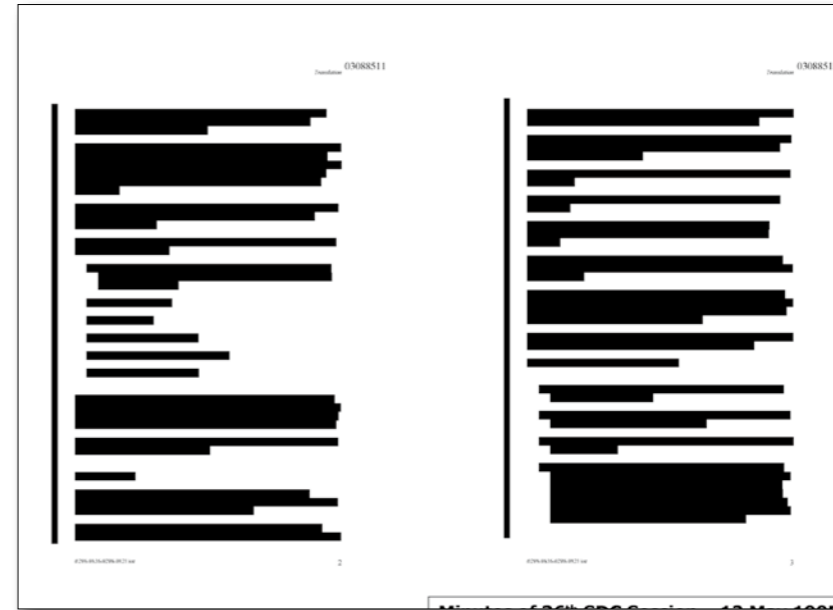
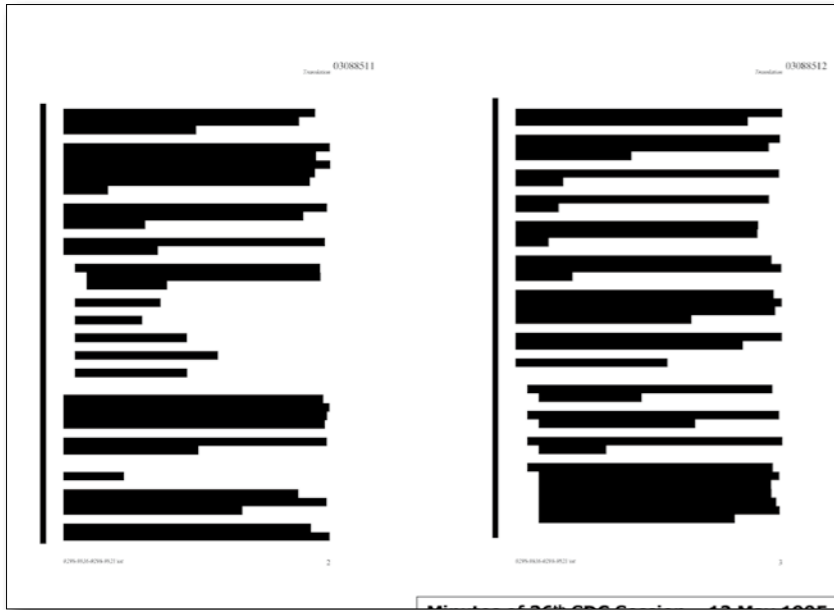
Acad of arm/ FEDERAL REPUBLIC OF YUGOSLAVIA DEFENCE STATE SECRET
 DT state secret no. 522
 13 June 1995
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MINUTES

of the THIRTY-SIXTH session of the Supreme Defence Council
 held on 12 May 1995

[REDACTED]

027 0007



03088515

President

Current issues

Under this item, President of FR Yugoslavia Zoran LILIC advised the members of the Supreme Defence Council of the need to relieve Major General Djuro DZEPINA, head of the 4th Administration of the General Staff of the Army of Yugoslavia, of his duties, pursuant to the Law on the Army of Yugoslavia, and record him as undergoing treatment on sick leave.

Federal Defence Minister Peko BLADOVIC informed the Supreme Defence Council of the discussions of the Yugoslav delegation led by Deputy Federal Prime Minister Mr Nikola SADOVIC in the Ukraine and at meetings with the representatives of the Defence Ministry of the Russian Federation. More detailed written reports shall be submitted in due course.

No stenographic record was kept of this session.

SECRETARY Major General Dr Slavoljub SUSIC Aspirant	PRESIDENT Zoran LILIC Aspirant
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03088515

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03088515

Translation 0308268

DEFENCE
STATE SECRET

Act of arms/
FEDERAL REPUBLIC OF YUGOSLAVIA
SP Naskly confidential/av. 5.2
22 July 1995
BELGRADE

MINUTES
of the THIRTY-NINTH session of the Supreme Defence Council
held on 29 July 1995

The session was chaired by the President of the Federal Republic of Yugoslavia Zoran LJILIC, and attended, in addition to the members of the Supreme Defence Council, President of Serbia Slobodan MILOSEVIC, and President of Montenegro Momir BULATOVIC, also by Federal Prime Minister Dr Radjko KONJIC, Federal Defence Minister Pavle BULATOVIC, Chief of the General Staff of the Army of Yugoslavia Colonel General Miroslav PERISIC, and Major General Dr Slavoljub SUSIC, secretary of the Supreme Defence Council.

Agenda:

1. Assessment of the current military and political situation in the region and proposal of measures for strengthening the security and defence of the Federal Republic of Yugoslavia.
2. Current issues.

The Supreme Defence Council did not declare any view regarding the Minutes of the previous, 38th session, since the session had been convened urgently and the background materials had not been provided in advance.

Item 1

The conclusions from the assessment of the current military and political situation in the region and proposed measures for strengthening the security and defence of the Federal Republic of Yugoslavia were presented by Chief of the General Staff of the Army of Yugoslavia Colonel General Miroslav PERISIC. According to the assessment of General PERISIC, with the development of the situation in the broader international arena and on the frontline, the crisis in the territory of the previous Yugoslavia had entered a critical stage characterized by an increasingly prominent orientation towards the war option.

03084508-0308427304

Translation 0308268

DEFENCE
STATE SECRET

Act of arms/
FEDERAL REPUBLIC OF YUGOSLAVIA
SP Naskly confidential/av. 5.2
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03084508-0308427304

Translation 03087982

DEFENCE
STATE SECRET

Act of arms/
FEDERAL REPUBLIC OF
YUGOSLAVIA
SUPREME DEFENCE COUNCIL
DT Number: 12.5
23 August 1995
BELGRADE/7

NOTE

From the 42nd session of the Supreme Defence Council, held on 23 August 1995 in the Cabinet of the Chief of the Yugoslav Army General Staff.

The session was chaired by the President of the Federal Republic of Yugoslavia, Zoran LJILIC. In addition to members of the Supreme Defence Council, President of the Republic of Serbia Slobodan MILOSEVIC and President of the Republic of Montenegro Momir BULATOVIC, the following also participated in the work of the session: Federal Prime Minister Dr Radjko KONJIC, Federal Minister of Defence Pavle BULATOVIC, and Chief of the Yugoslav Army General Staff Colonel General Miroslav PERISIC. The commander of the Army of Republika Srpska Main Staff, Colonel General Ratko MLADIC, was also invited to the session. The session was also attended by the Major General Slavoljub SUSIC, Chief of the Military Cabinet of the President of the Federal Republic of Yugoslavia and Secretary of the Supreme Military Council.

According to the agenda originally proposed, there was supposed to be discussion of the situation regarding preparations of the National Defence Plan, the financing of the Yugoslav Army (revision of the military section of the federal budget) and several current issues. The discussion commenced with consideration of an assessment of the military and political situation in the former Yugoslavia and proposals for measures to revise the peace process, which is in the interests of the entire Serbian nation, and so the agenda items previously proposed were left for the next session of the Council.

According to the current military and political situation as very delicate for the Serbs in the former Yugoslavia, particularly in the wake of the Republic of Serbian Krajina leadership debacle, the Croatian aggression and the greater exodus of Serbs in recent times, President MILOSEVIC posed the question: How to fight for an honorable peace and prevent the same fate befalling Republika Srpska. Directly linked to this, he also raised the question of who can represent the Serbs from

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Translation 03087982

DEFENCE
STATE SECRET

Act of arms/
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YUGOSLAVIA
SUPREME DEFENCE COUNCIL
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English Translation RFR/14-0308014-1037

DEFENCE
STATE SECRET

Act of arms/
FEDERAL REPUBLIC OF YUGOSLAVIA
SUPREME DEFENCE COUNCIL
DT No. 12.5
30 August 1995
BELGRADE

RECORD

From a meeting of the highest political and military leadership of the Federal Republic of Yugoslavia and Republic of Srpska held on 29 August 1995 at the Yugoslav Army residence in Dobanovci.

Pursuant to an agreement of the leaderships of the Federal Republic of Yugoslavia "FRY" and Republic of Srpska "RS" reached at the joint meeting held on 25 August 1995 at the Yugoslav Army residence "Dobanovci", on 29 August 1995 again the highest state, political and military leaders of FRY and RS met. The meeting lasted from 16:30 to 23:45 hours including two half-hour breaks for separate consultations at the request of RS representatives.

As for the Yugoslav side, FRY President Zoran LJILIC, President of Republic of Serbia Slobodan MILOSEVIC, President of Republic of Montenegro Momir BULATOVIC, Federal Government President Dr Radjko KONJIC, Yugoslav Army General Staff Chief Colonel General Miroslav PERISIC, Federal Defence Minister Pavle BULATOVIC and Chief of the Military Cabinet of the FRY President Major General Slavoljub SUSIC, attended the meeting.

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English Translation RFR/14-0308014-1037

DEFENCE
STATE SECRET

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03084508-0308427304

English Translation RT/114/2106/11/112

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The meeting was attended by Patriarch of the Serbian Orthodox Church His Eminence **Pavle** and Bishop **Irinej BULOVIĆ**.

At the beginning of the meeting **Shobdan MILOŠEVIĆ** asked the RS representatives to inform the participants about the last session of the RS Assembly at which the American peace initiative was halted and readiness that the RS delegation along with the FRY delegation participate at the coming International Peace Conference was shown.

The RS Assembly President **Momčilo KRAJŠNIK** suggested that it be communicated by Dr **Nikola KOLJEVIĆ** who deemed that that should be done on behalf of all by the RS President Dr **Radevan KARADŽIĆ**.

Informing the participants of the two leaderships joint meeting, Dr **Radevan KARADŽIĆ** said that the Assembly worked for 12 hours without breaks, the discussion was strenuous. People thought freely and presented their standpoints frankly. There was a lot of caution, anxiety, fear and even distrust in the intentions of the International Community. Eventually, conclusions were adopted wherein the Assembly supported American peace initiative, the proposal that the delegation of Republic of Srpska join the delegation of the Federal Republic of Yugoslavia at the forthcoming Peace Conference was accepted, and that the relations with FRY be legalised. According to **KARADŽIĆ**'s estimation Serbian people in the former BiH fear that by "merging" of the "RS" delegation with the FRY delegation, Muslims would have advantage. The main jeopardy is that with the legitimacy of Republic of Srpska before the International Community would be lost and Serbs could become a national minority.

01070001

English Translation RT/114/2106/11/112

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01070001

English Translation RT/114/2106/11/112

Therefore, **KARADŽIĆ** continued, an opinion "that the appearance at the international conference ought to be joint" prevails, that RS delegation should be made up of six representatives with General **MLADIC** being the seventh one. Simply, we cannot allow our enemies to determine our representatives, though we are aware that, at least during the first phase, both **KARADŽIĆ** and **MILOŠEVIĆ** cannot be going for negotiations with Foreigners. According to the RS President's opinion, America wouldn't like that the relations between RS and FRY improve. He reminded that a representative of the European Union Carl **Bildt** admits that at the International Conference Republic of Srpska must be represented by all three factors: President, Assembly and Army. International Community finds it important that the Union of BiH exists and we have to accept it for now, but on the condition that we see a map and that it is a good map. It would be good that the RS representatives take part in those talks (about modalities of solution). All relevant representatives and experts are ready to attend consultations on all significant issues. Both RS Assembly and all Serbian people will accept that.

In his further elaboration President **KARADŽIĆ** made remarks about behaviour of the media in FRY, alleging some concrete examples from the radio - as to how "people came to senses, that the leadership of Republic of Srpska was defeated at the Assembly" and similar things. He deemed that the time has come that "all things be put on reasonable grounds" and underlined that the co-operation of RS with FRY is "open and sincere".

The RS Minister of Foreign Affairs Dr **Abdusa BUKA** presented his impressions about the talks with Carl **Bildt** summing them up in few ones that were the most important. In the talks with the European mediator it was insisted the most on the equal treatment of all parties in conflict. It was requested that the Republic of Srpska be granted all attributes as the Muslim-Croatian Federation in "the Washington paper". **Bildt** "insisted" on a right to independently manage foreign policy (as a Muslim representative **MURATOVIĆ** did in the recent talk with N. **KOLJEVIĆ**) thus he was informed that that is stated in "the Washington paper". **Bildt** was asked to voice his opinion on a right of Serbs to use means of the reconstruction fund, which is being promised to the Muslim-Croatian Federation upon cessation of the war. He had nothing against such a stance.

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01070001

Exhibit # 17405 TAB 3A
File Number: 03080901
01070001-10-70 ON 19.06.03

DEFENCE
STATE SECRET

RECORD
of meeting of Federal Republic of Yugoslavia (FRY) and Republika Srpska (RS) representatives of the highest political and military leadership held on 25 August 1995 at the Army of Yugoslavia Residence in Dobruva.

In accordance with the conclusions adopted at the 42nd session of the Supreme Council of Defence (VSO), held on 23 August 1995, the highest state, political and military leaders of the Federal Republic of Yugoslavia and of Republika Srpska met at the Army of Yugoslavia Residence in Dobruva. The meeting was held on 25 August 1995, the working part of the meeting lasted from 1400 until 2000 hours with a half-hour break so that the Republika Srpska representatives could consult in camera.

At the meeting, the Yugoslav side was represented by: the FR Yugoslavia President, **Zoran ĐILIC**; Republic of Serbia President, **Shobdan MILOŠEVIĆ**; Republic of Montenegro President, **Momir BULATOVIĆ**; Federal Prime Minister, Dr **Radivoje KONJIC**; Chief of Army of Yugoslavia General Staff, Lieutenant General, **Momčilo PERIŠIĆ**; Federal Minister of Defence, **Pavle BILATOVIĆ** and Chief of the FRY President's Military Cabinet, Major General Dr **Slavoljub ŠTANIĆ**.

The delegation of Republika Srpska consisted of: the Republika Srpska President, Dr **Radevan KARADŽIĆ**; Republika Srpska Assembly President, **Momčilo KRAJŠNIK**; Republika Srpska Vice-President, Dr **Nikola KOLJEVIĆ**; Republika Srpska Prime Minister, **Džanan KOZIC**; Foreign Affairs Minister, Dr **Abdusa BUKA**; Army of Republika Srpska VRS Main Staff G3 Commander, Lieutenant General **Ratko MLADIC**; Assistant VRS G3 Commander for Security, **Zdravko TOLIMIR**; Assistant VRS G3 Commander for Logistics, Lieutenant General **Djordje ĐUKIĆ**; and Assistant VRS G3 Commander for Moral, Information, Legal and Religious Affairs, Lieutenant Colonel **Milan GVERO**.

The meeting was also attended by His Holiness **Pavle**, the Patriarch of the Serbian Orthodox Church and by the Orthodox Bishop **Irinej BULOVIĆ**.

At the beginning of the meeting, the President of Serbia, **Shobdan MILOŠEVIĆ**, concisely explained the main reasons for such a grand gathering. This is a fateful time for our people: to accept a "fast peace" or a "fast war". That is the essence of America's latest initiative. There is little time and it is not working in our favour. He mentioned the tragic experience of the Republic of Serbian Krajina (RSK) where the leadership people left their centuries-old homelands without firing a shot. The main subject was the RSK state and military leadership, which was set up to the task of successfully organising the resistance against the Croatian aggression, which had been announced much earlier and rescuing their people from the pogrom.

RT/114/2106/11/112/001-101-000001

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RT/114/2106/11/112/001-101-000001

03080902

President MILOSEVIC warned that the same fate could befall Republika Srpska, unless it comes to and accepts the solution for peace offered, unless it renounces a unified political and military leadership, which has recently seriously deteriorated, and unless it displays a greater degree of cooperation with mother Serbia and FR Yugoslavia.

When asked to present his views of the current situation the Serbian people are in, the Patriarch of the Serbian Orthodox Church, Pavle, first stated "the malice of the authorities" to invite him so that, together, like brothers, we could find the right course of action "regarding the time we live in and for the general good of our people." He pointed out that we needed to overcome everything negative that happened and had brought misfortune into the people of Krajina. "Let bygones be bygones," the Patriarch said, concluding his short address by stressing that "these are fearful times" and "we must do everything we can for the general good of the entire Serbian people."

The President of Republika Srpska, Dr Radovan KARADZIC, informed the others that Assembly President, KARASIN, would be late as he was meeting a representative of the Muslim authorities at the Sarajevo airport.

Republika Srpska Vice-President, Dr Nikola KOLJEVIC, informed those attending the meeting of his telephone conversation with Alija IZETBEGOVIC after a break of three and a half hours. On that occasion he pointed out to the Muslim leader to stop shelling the Serbian positions around Sarajevo, otherwise the Serbs would target the Muslim part of Sarajevo including Alija's residence. The fire ceased within the 15 minutes given by the ultimatum.

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Akhso BUKA agrees with that assessment, corroborating it with the fact that the European mediator (a envoy) from Germany, KOSCHNIK, has "given up" on Mosar where he was tasked with mediating between the Muslims and the Croats. He informed those present with the demographic structure of Mosar, which has not changed significantly during the war regarding the representation of Muslims and Croats.

President MILOSEVIC addressed KARADZIC and asked if they had completed the demarcation map with the 49%-51% territory division ratio which they presented to Karl BILDT, Co-President of the European Mission.

RS President KARADZIC responded that "something has been done", but that, objectively it has been difficult to adjust it to an exact 49%. He compared the current map of Republika Srpska with saddle bags, which will require future corrections in order to obtain a more compact territory. He then pointed to the fact that in devising the offered demarcation and territorial division plans so far, the international mediators have first appeased the Croats and the Muslims and then offered the Serbs finalized versions with no possibility of change. Now, however, the situation is more favorable. Judging from everything, a plan the Serbs would accept is now being prepared. He also mentioned a meeting with the Muslim Prime Minister SIBAJDZIC, who wanted to sign a peace agreement with the Serbs so that conflicts in the border areas could cease. However, German officials found out about this and strongly opposed it, trying to prevent any kind of damage to interests of their ally, Croatia.

According to President MILOSEVIC, the Contact Group plan suited the Muslims less than the Serbs. They accepted it last year knowing that the Serbs would not. That was a grave mistake. We lost precious time, and even more, precious lives and about 1,500 km² of territory. Now they are offering us the same with much stricter conditions.

General PERISIC cited the fact that about a platoon of soldiers is killed every day. About 30 men, therefore.

President KARADZIC was of the opinion that this information was exaggerated, that that many men have not been getting killed.

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KARADZIC replied that it would be good to start with "50 - 50", and to preferably win an additional percentage point or two.

President MILOSEVIC reminded him that he suggested that very thing a year ago. The Muslims had to be offered something they deemed important, and they would give us something we would be particularly interested in. Of course, we are not referring to the enclaves. The three in Eastern Bosnia (Srebrenica, Zepa and Gornjaci) would "stand aside" the Serbian army and fight. Again he stressed the fact that "the Americans want either a quick war or a quick peace." They simply want a quick success in which case President CLINTON could "suck" the opposition which favors lifting the arms embargo against the Muslims. Otherwise the UNPROFOR would withdraw (except the forces from Islamic countries), NATO forces would replace the UN "blue helmets", and the Muslim - Croatian coalition would get stronger.

Because of all of that we have to work for a quick peace. The Americans and the Contact Group members will only agree to talk with representatives of the Federal Republic of Yugoslavia, that is of Serbia and Montenegro, most notably with President MILOSEVIC and IZETBEGOVIC. Some members of the Republika Srpska leadership could be included in our delegation, those who opt for peace. Those who will accept what we agree upon may represent the "Bosnian Serbs" - President MILOSEVIC mentioned. Then he warned of the brief time left in which we must act quickly. At the tripartite conference (Contact Group, President Slobodan MILOSEVIC and the Muslim leader IZETBEGOVIC) we will have to be prepared to accept what is realistic and possible in this situation. All the while we must take into consideration that there is another side with its own interests. He also mentioned that Under-Secretary of State ROEBROOK, said about the US view according to which, if the Serbs fail to accept the peace, the war will be made to escalate. And if the Muslims refuse the peace solution they will be told that they are to be left alone with the sword of Damocles hanging above them in the form of General MILADIC.

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President MILOSEVIC warned that the same fate could befall Republika Srpska, unless it comes to and accepts the solution for peace offered, unless it renounces a unified political and military leadership, which has recently seriously deteriorated, and unless it displays a greater degree of cooperation with mother Serbia and FR Yugoslavia.

When asked to present his views of the current situation the Serbian people are in, the Patriarch of the Serbian Orthodox Church, Pavle, first stated "the malice of the authorities" to invite him so that, together, like brothers, we could find the right course of action "regarding the time we live in and for the general good of our people." He pointed out that we needed to overcome everything negative that happened and had brought misfortune into the people of Krajina. "Let bygones be bygones," the Patriarch said, concluding his short address by stressing that "these are fearful times" and "we must do everything we can for the general good of the entire Serbian people."

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Supreme Defence Council, 1992-2006

- Civilian commander of the FRY armed forces
- Involved in the Croatian and Bosnian war through the 30th and 40th Personnel Centers of the General Staff of the Yugoslav Army VJ
- These documents could potentially connect the atrocities committed by the Croatian and Bosnian Serb armies in the time relevant for the Croatian and Bosnian indictment periods to Belgrade authorities and Slobodan Milošević

Protection of the Supreme Defence Council, 1992-2006

- States have right to a protection
- UN (ICTY) does not make distinction between states and all states treated equally allowing them to protect their national interests
- Serbia claimed “vital state interest” in order to protect the portions of the SDC that might have implicate Serbia in the crime of genocide in the lawsuit at the International Court of Justice
- Chief Prosecutor del Ponte allowed for it using the discretion of her position to make decisions on her own without consultation with her trial teams

Viva Voce Evidence by an International Mediator

- Lord Paddy Ashdown and the evidence on notice in regard to the Kosovo part of the Indictment

최고 국방 위원회, 1992-2006

- FRY 무장세력의 민간 사령부
- 유고슬라비아 군대 작전참모(30-40代)의 인사본부가 겪은 크로아티아, 보스니아 전쟁에 연루됨
- 이 문서들은 베오그라드 지휘권과 슬로보단 밀로셰비치를 크로아티아, 보스니아-세르비안 군대에 의해 자행된 잔혹행위들(크로아티아, 보스니아 폐단 기간과 관련)과 잠재적으로 연결될 수 있다

최고 국방 위원회의 보호, 1992-2006

- 국가는 보호받고, 보호할 권리가 있다
- 유엔(국제형사법원)은 국가들을 구분하지 않으며, 평등하게 국가들의 자국 이익 보호를 허용한다
- 세르비아 정부는, 자국이 집단 학살 범죄에 대한 국제사법 재판소의 소송과 혹여나 연관이 있을 것이라 우려되는 SDC를 보호하기 위해 이를 “중요 국가 이익”이라고 주장했다
- 검사장 델 폰테는 허용된 재량으로 그녀의 소송 팀과 상의 없이 결정을 내렸다

국제 조정관에 의한 구두 심문 증거

- 패디 애쉬다운 경(卿)과 코소보 폐단 관련 증거



Prosecution Witness Lord Paddy Ashdown



검사 측 증인인 패디 애쉬다운 경(卿)

Mr MILOSEVIC: Do you know anything about the NATO aggression that was carried out against Yugoslavia on the 24th of March, 1999?

Paddy ASHDOWN: Mr. Milosevic, the evidence I've given before this Court took place before that date and therefore that event is wholly irrelevant... Furthermore, I think it's worth pointing out that the estimates are that in this period, long before the NATO aggression, more than 300.000 Albanians had been driven from their homes by the action of your troops. So these were entirely the responsibility of you, of your troops... They are nothing to do with the NATO aggression. Indeed, if I may remind you, the very purpose of my visit was to seek to persuade you to take action which would have prevented that intervention. I said to you, in specific terms, that if you went on acting in this fashion, you would make it inevitable that the international community would have to act, and in the end they did have to act. And I warned you that if you took those steps and went on doing this, you would end up in this Court, and here you are.



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Defence Witnesses, Contemporaneous Documentary Evidence and Advantages of a Cross-Examination

- Police General Obrad Stevanović discussing hand-written entries in his war time diary during the Kosovo war, 1998-1990

피고 측 증인, 동시 발생 문서 증거, 반대 심문의 이점

- 1998년-1999년 코소보 전쟁 기간 동안 본인이 쓴 일기를 증언 중인 경찰청장 올라드 스테바노비치



Defence Witness General Obrad Stevanovic



피고 측 증인, 경찰청장 올라드 스테바노비치

Mr MILOSEVIC: Batajnica is mentioned here... what is this area around Batajnica? What does it represent? What is it?



Defence Witness
Obrad Stevanovic

Obrad STEVANOVIC: Well, where the mass grave was located is the centre of special anti-terrorist units. That's the centre and their base. It was the base for the Belgrade special anti-terrorist unit.

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Obrad STEVANOVIC: Well, where the mass grave was located is the centre of special anti-terrorist units. That's the centre and their base. It was the base for the Belgrade special anti-terrorist unit.

Geoffrey NICE: If we now look, please, at your diary... Does the first entry read...

"No corpse, no crime"?

Obrad STEVANOVIC: Yes, that's exactly what it says.

Geoffrey NICE: It's your handwriting. Read, please, the next line for us.



Defence Witness
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Geoffrey NICE: If we now look, please, at your diary... Does the first entry read...

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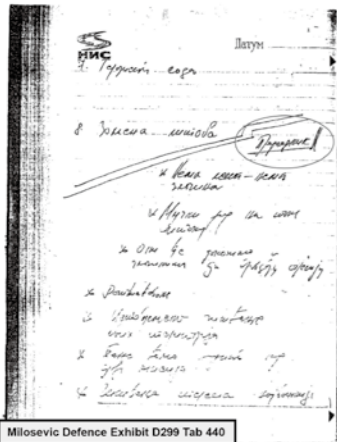
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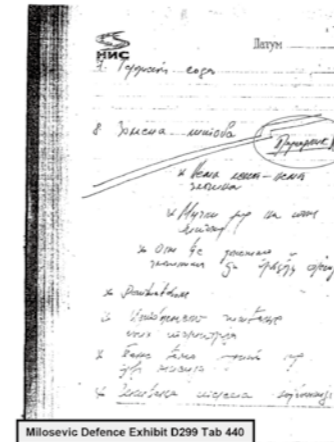
Defence Witness
Obrad Stevanovic

"President"



Milosevic Defence Exhibit D299 Tab 440

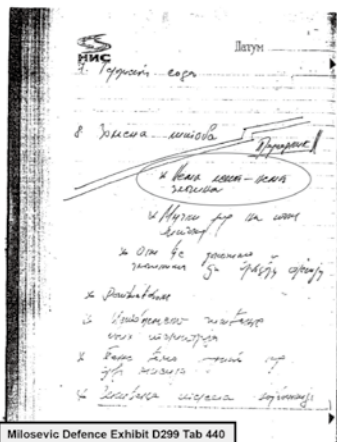
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Milosevic Defence Exhibit D299 Tab 440

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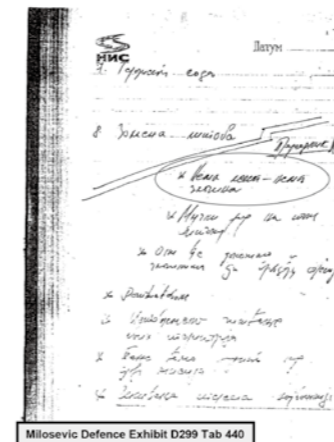
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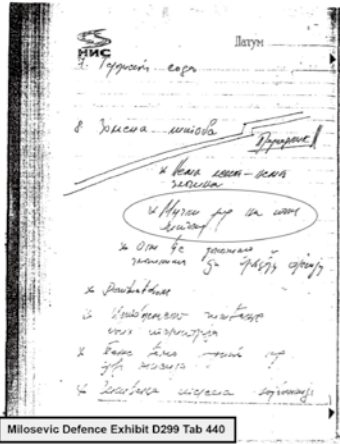
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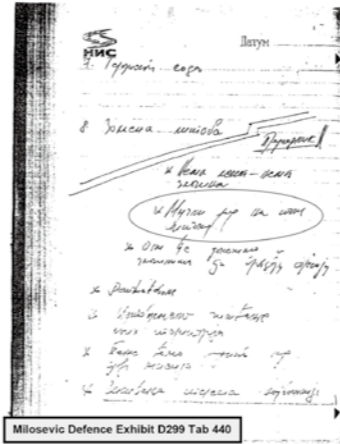


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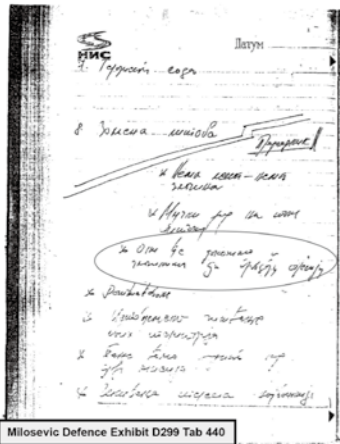
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"President"
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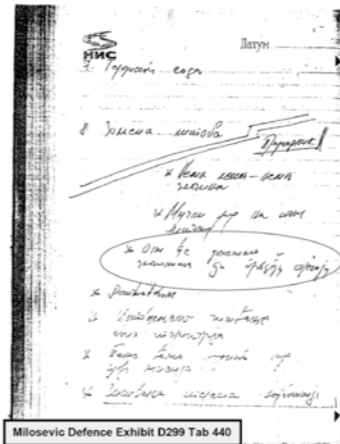
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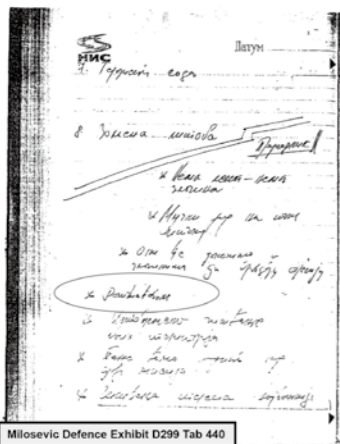
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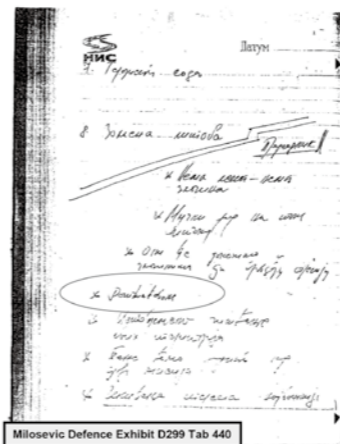
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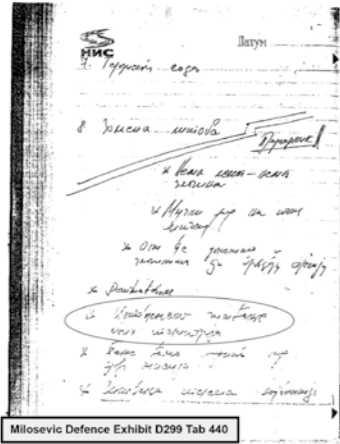
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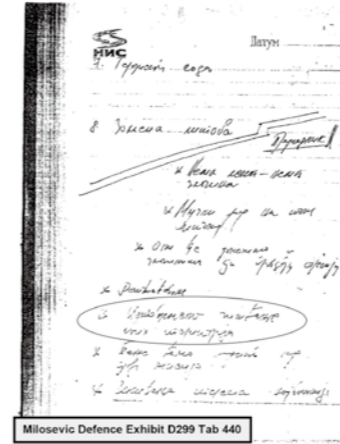
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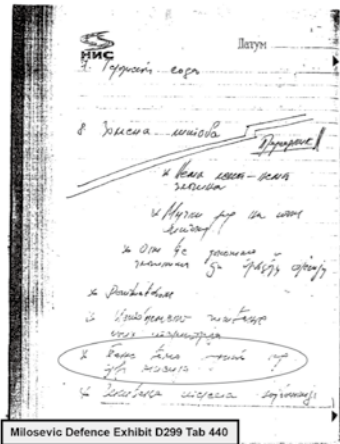
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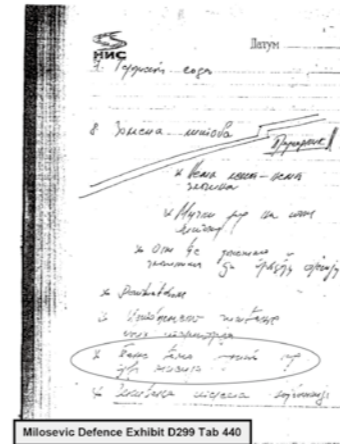
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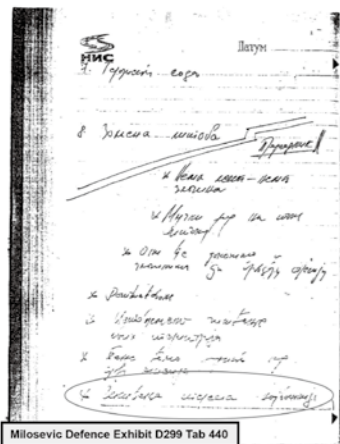
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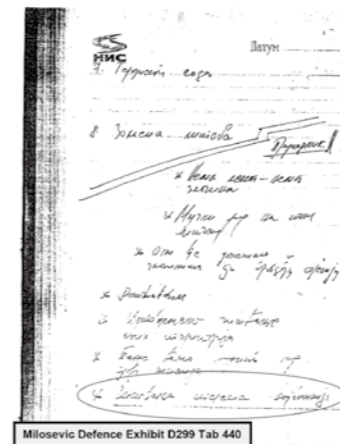
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"Clearing up."
...
"Simultaneous clearing up of territories."
...
"When the mission arrives..."



Milosevic Defence Exhibit D299 Tab 440

"President"
...
"No corpse - No crime"
...
"Back-breaking work on... On that issue."
...
"They will use evidence on crimes to justify aggression."
...
"Clearing up."
...
"Simultaneous clearing up of territories."
...
"When the mission arrives..."
...
"Clearing up the terrain the most important."



Milosevic Defence Exhibit D299 Tab 440

"President"
...
"No corpse - No crime"
...
"Back-breaking work on... On that issue."
...
"They will use evidence on crimes to justify aggression."
...
"Clearing up."
...
"Simultaneous clearing up of territories."
...
"When the mission arrives..."
...
"Clearing up the terrain the most important."

Geoffrey NICE: Now, what was the setting for this entry? You were sitting there with one of the presidents, were you? May we take that to be the case?



Defence Witness
Obrad Stevanovic

Obrad STEVANOVIC: Whether I did or didn't, I really cannot determine from this. It really says "President," and it is probably a reference to a meeting at a president's office....

[...]

Geoffrey NICE: ... As is said, the president here is this accused.

Obrad STEVANOVIC: That's something I can accept.

Privately held Evidence

- The recording of the Scorpion killings provided by a former Scorpion unit member



Geoffrey NICE: Now, what was the setting for this entry? You were sitting there with one of the presidents, were you? May we take that to be the case?



Defence Witness
Obrad Stevanovic

Obrad STEVANOVIC: Whether I did or didn't, I really cannot determine from this. It really says "President," and it is probably a reference to a meeting at a president's office....

[...]

Geoffrey NICE: ... As is said, the president here is this accused.

Obrad STEVANOVIC: That's something I can accept.

비공개 증거

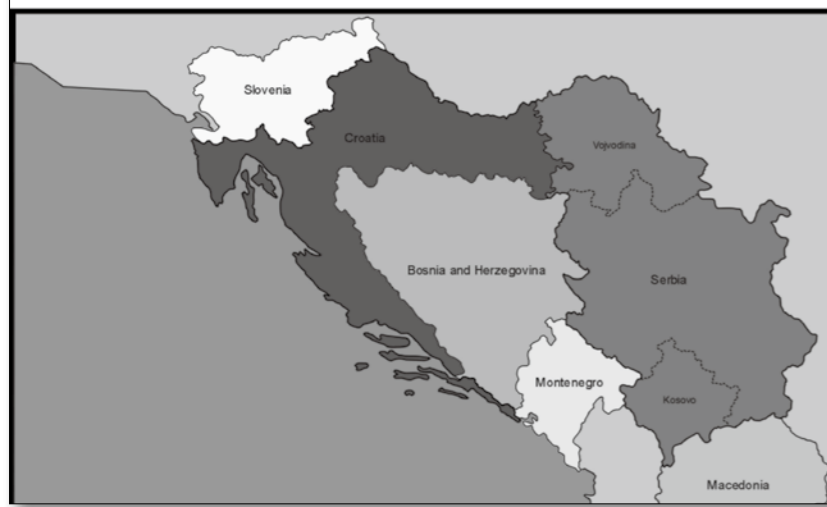
- 前스콜피온 부대원에 의해 제공된 스콜피온 부대 학살 기록



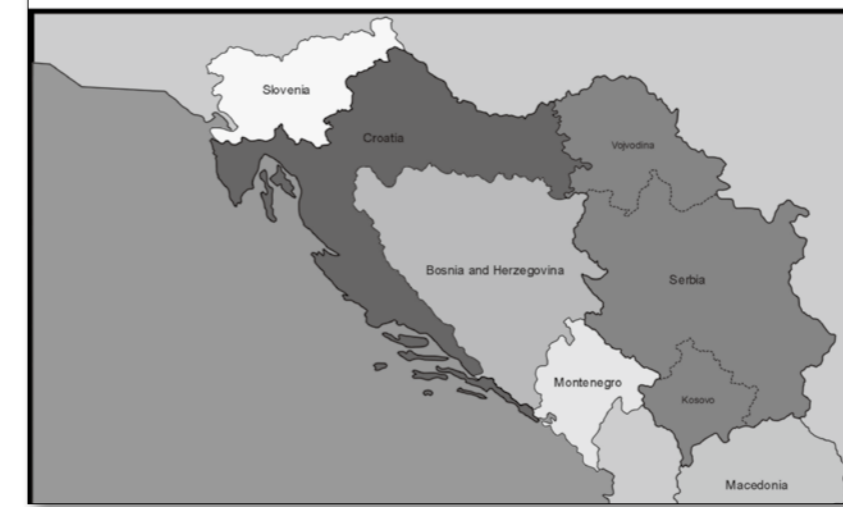


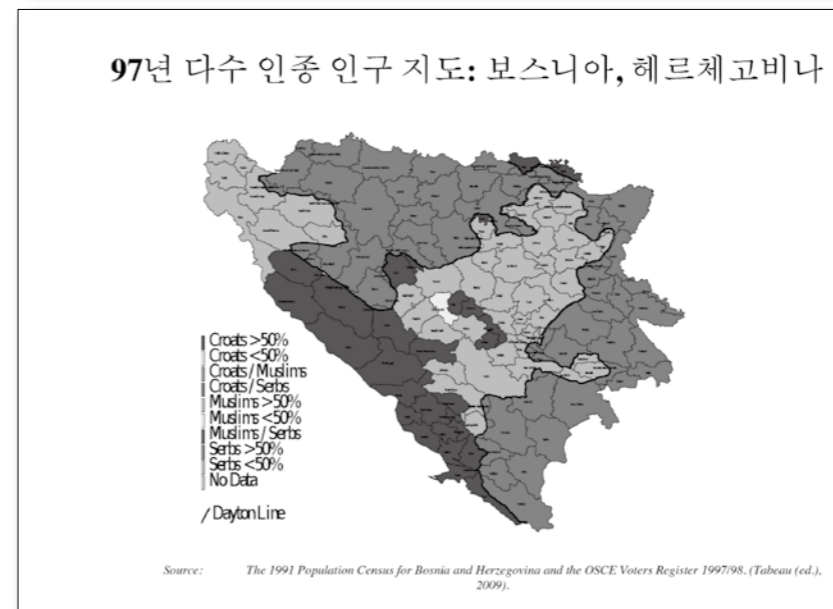
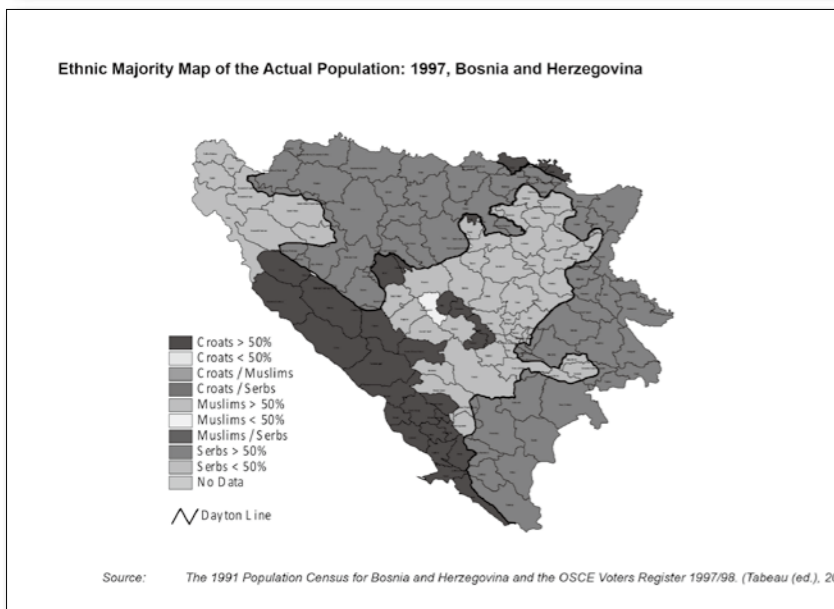
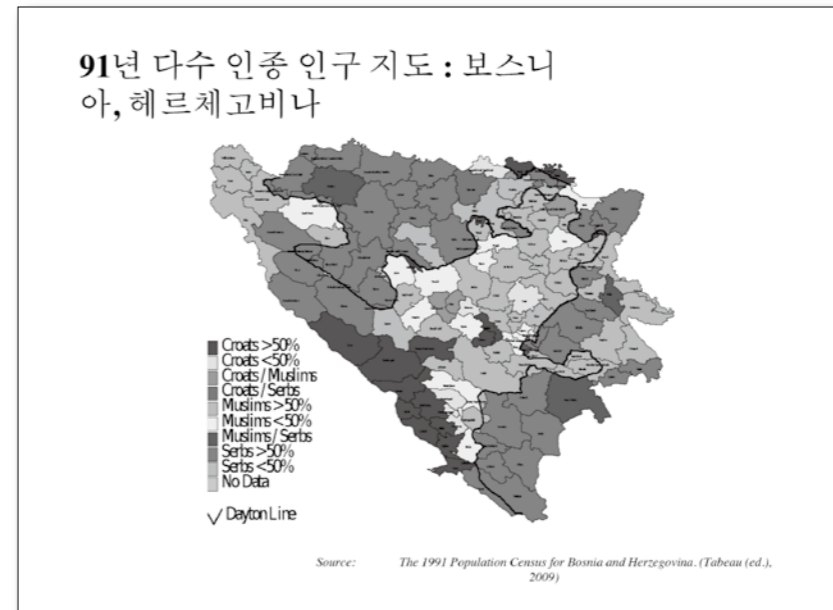
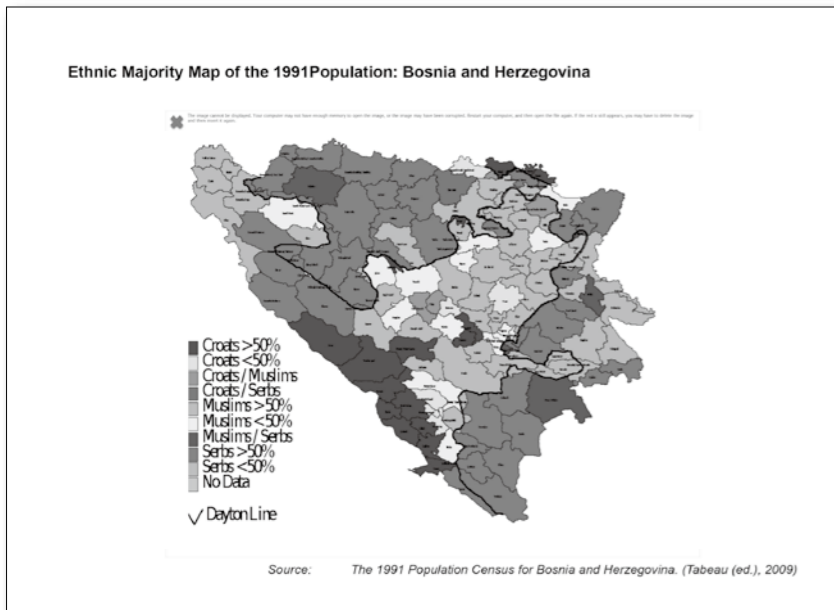
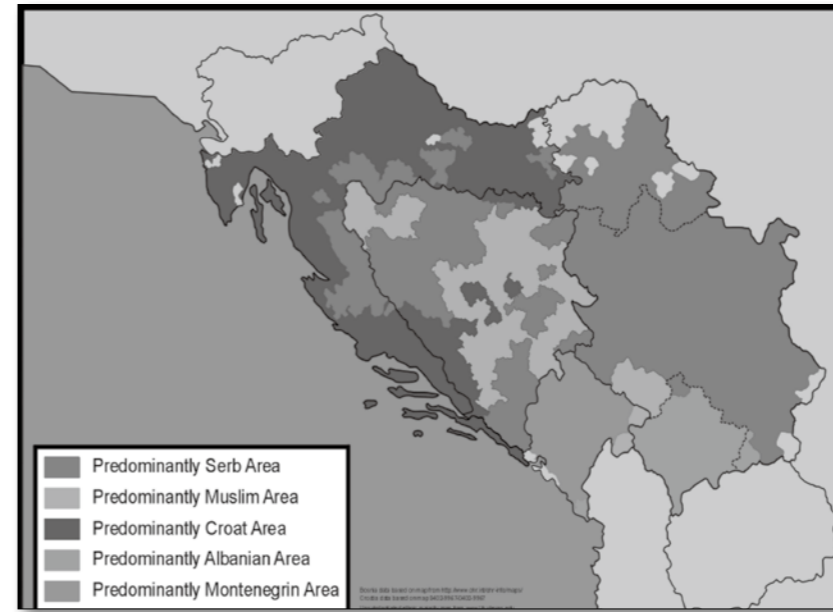
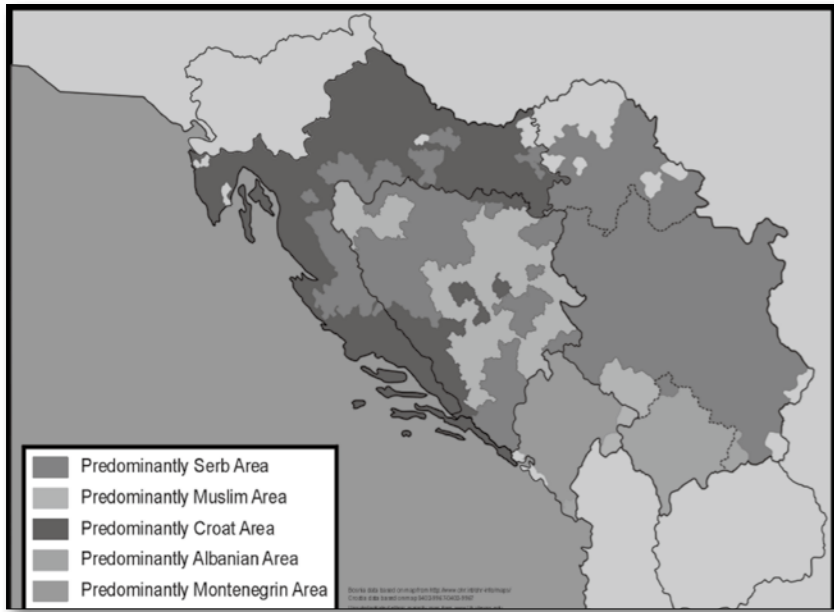


SFRY, 1945-1991



유고슬라비아 사회주의 연방공화국, 1945-1991





POST SCRIPTUM: Milosevic Trial **Statistics**

- 467 days of trial
- 408 witnesses
 - 296 live Prosecution witnesses
 - 59 written form Prosecution witnesses
 - 52 live Defence witnesses
 - 2 Trial Chamber witnesses
- 49,191 pages of trial transcript
- 5759 total Prosecution exhibits (approximately 150,000 pages)
- 2107 total Defence exhibits (approximately 25,000 pages)
- 157,500 pages total exhibit and witness disclosure
- 1,000,000 pages of exculpatory material disclosure

“[W]e believe that this Tribunal... will provide a contemporary touchstone and an authoritative and impartial record to which future historians may turn for truth, and future politicians for warning.”

(Hartley Shawcross - British Chief Prosecutor at Nürnberg)

A Modest Contribution

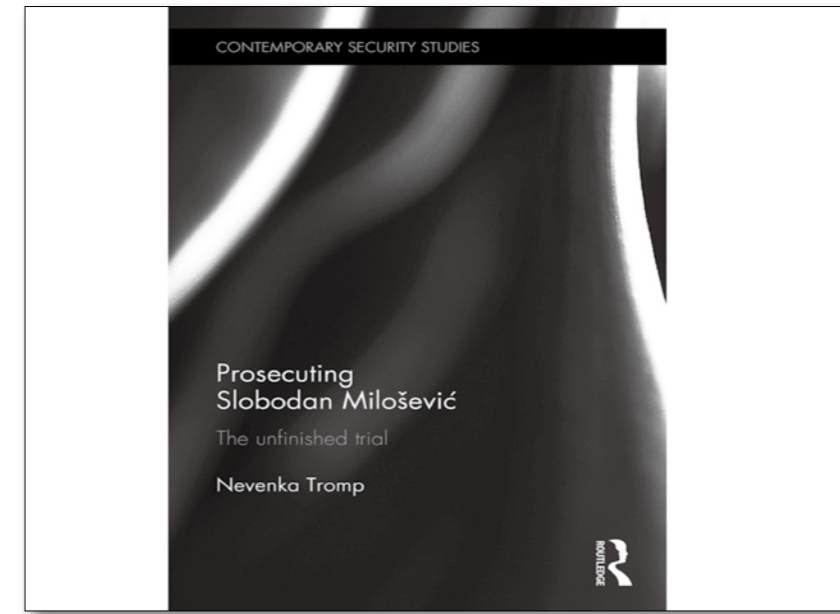
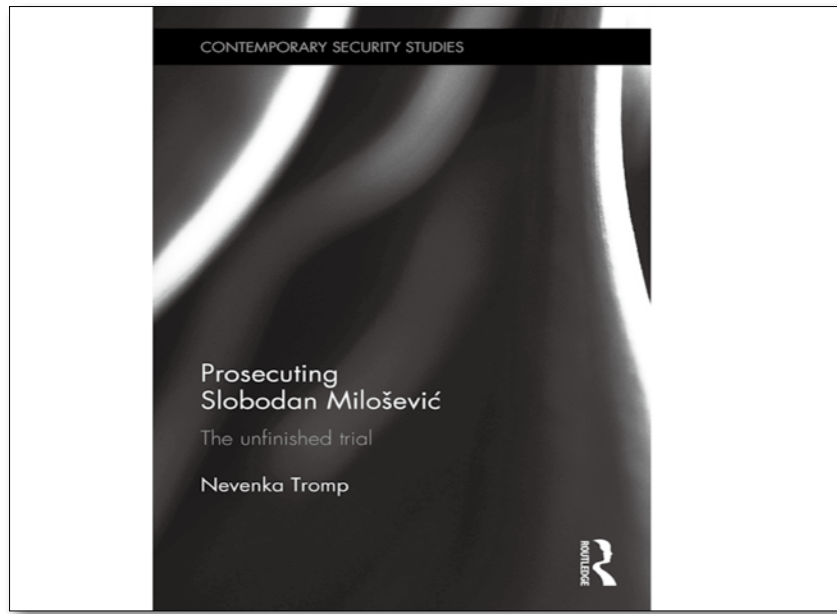
추신: 밀로세비치 재판 통계

- 재판 기간 467일
- 증인 408명
 - 생존 기소 증인 296명
 - 서면 기소 증인 59명
 - 출두한 검사 측 증인 52명
 - 판사실 증언 2명
- 재판 기록 49,191 쪽
- 총 기소 증거물 5759건 (약 150,000 쪽)
- 총 피고 증거물 2107건 (약 25,000 쪽)
- 증인 폭로와 모든 증거물 157,500 쪽
- 무죄 증거 자료 내용 1,000,000 쪽

“우린 법원이 미래의 사학자들에게 진실
을, 정치인들에게 경고 줄 수 있는 현대
의 시금석과 권위, 공정한 기록을 마련해
줄 것이라 믿는다.”

(Hartley Shawcross - British Chief Prosecutor at Nürnberg)

A Modest Contribution




Human Rights Documentation

Patrick Ball, Ph.D.

Director of Research, Human Rights Data Analysis Group (HRDAG)

Statistical Appreciation:
What should we know
in order to know when statistics are plausible?

Patrick Ball
Director of Research, HRDAG
July 2017



Human Rights Data Analysis Group
everybody counts.



인권조사기록


패트릭 볼 박사

인권데이터분석그룹(HRDAG) 리서치 디렉터

통계적 이해 :

통계가 유효할 때를 알기 위해
우리가 알아야 할 것은?

패트릭 볼
리서치 디렉터, HRDAG
2017년 7월



Human Rights Data Analysis Group
everybody counts.



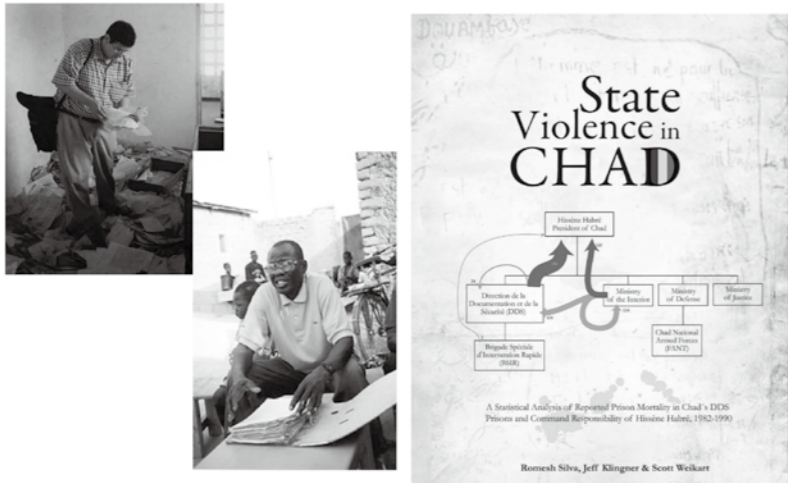
The trial of former President of Chad, Hissène Habré



Question: was the treatment of prisoners in the DDS detention centers so abusive that it might be a war crime?



Starting in 1999, years of work with Human Rights Watch and the AVCRP



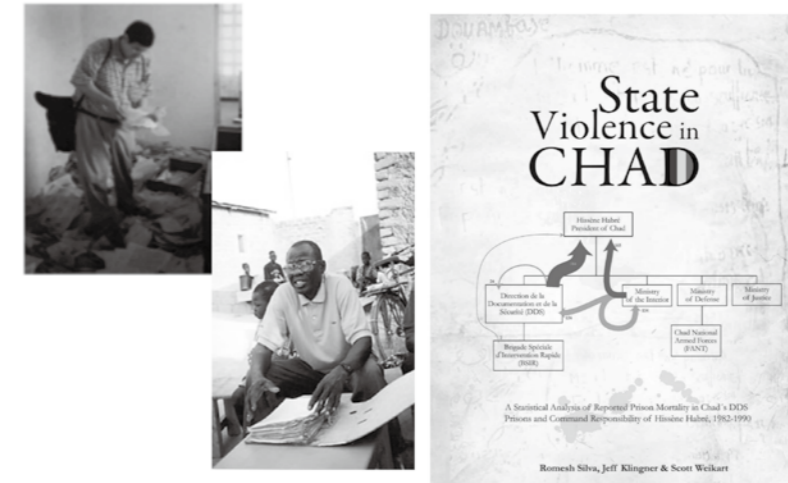
차드 前 대통령 Hissène Habré 의 재판



질문 : DDS 소년원의 죄수들에 대한 처우가 너무 폭력적이어서 전쟁범죄일 여지가 있을 정도였는가?



1999년부터 시작한, Human Rights Watch 와 the AVCRP 의 작업 진행도



Visit to the Chadian
judicial archives,
01 June 2014 to 05 June 2014



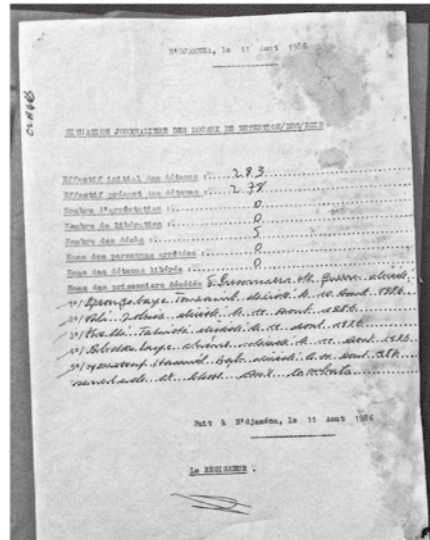
- We got authorized, notarized copies of the documents
- High resolution photos of the documents
- Focus: daily situation reports of the DDS
- 518 complete reports over the 1085 days in the period between 31 May 1985 to 31 May 1988
- The missing data can be “filled in” because, for each missing report, we know the starting and ending values from the nonmissing reports on each side.

2014년 6월 1일 부터 5일 까지
차드 사법 기록 보관소를 방문

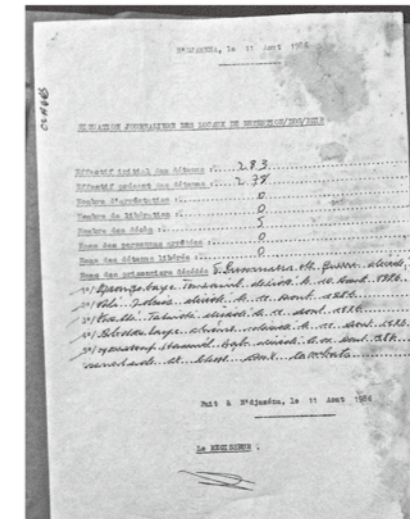


- 문서를 복사할 권한과 공증을 부여받음.
- 서류들의 고해상도 사진들을 입수.
- 초점 : DDS의 일일 상황 보고서들.
- 1985년 5월 31일부터 1988년 5월 31일 사이의 1085일 동안 518개의 완료된 보고서들이 존재.
- 누락된 데이터들은 “채워질 수” 있었다. 왜냐하면 누락된 보고서 각각은, 누락되지 않은 보고서의 각 면을 통해 시작값과 끝값을 알 수 있었기 때문이다.

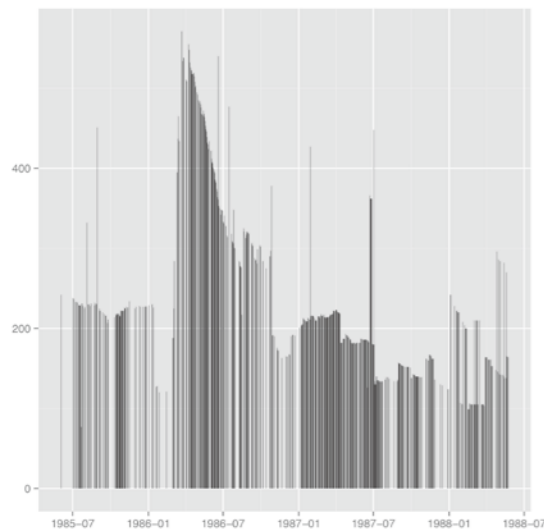
Daily situation report for 11 August 1986



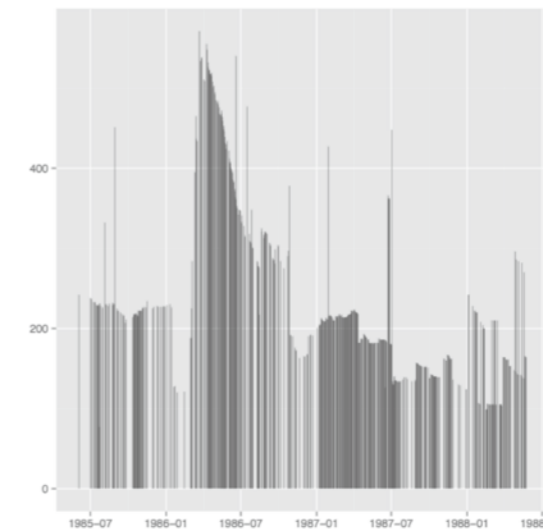
1986년 8월 11일자 일일 상황 보고서



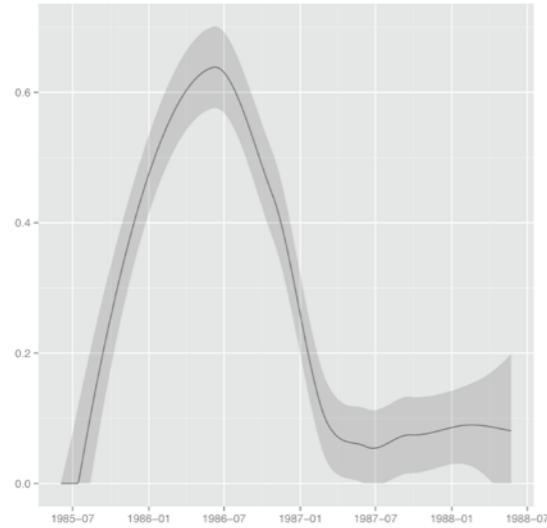
Number of prisoners, by day, according to daily situation reports



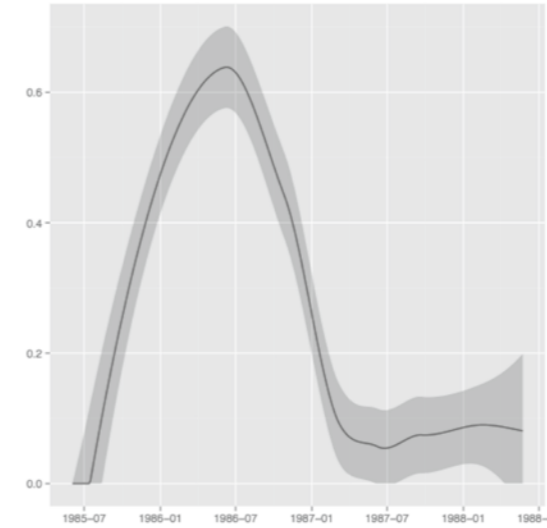
일일 상황보고에 따른 일별 수감자 수



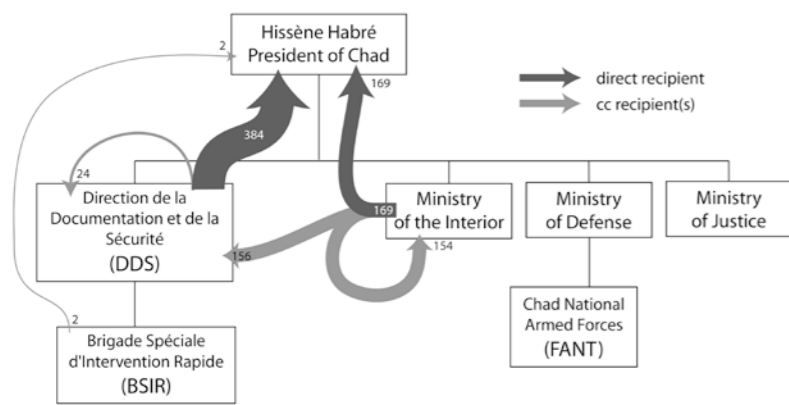
Crude daily mortality rate, per 100 prisoners



수감자 100명 당 대략적 일일 사망률

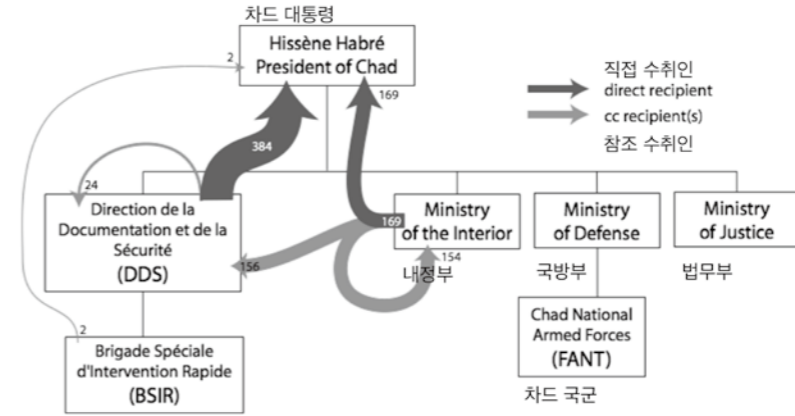


This analysis of document flow is from our 2010 report.

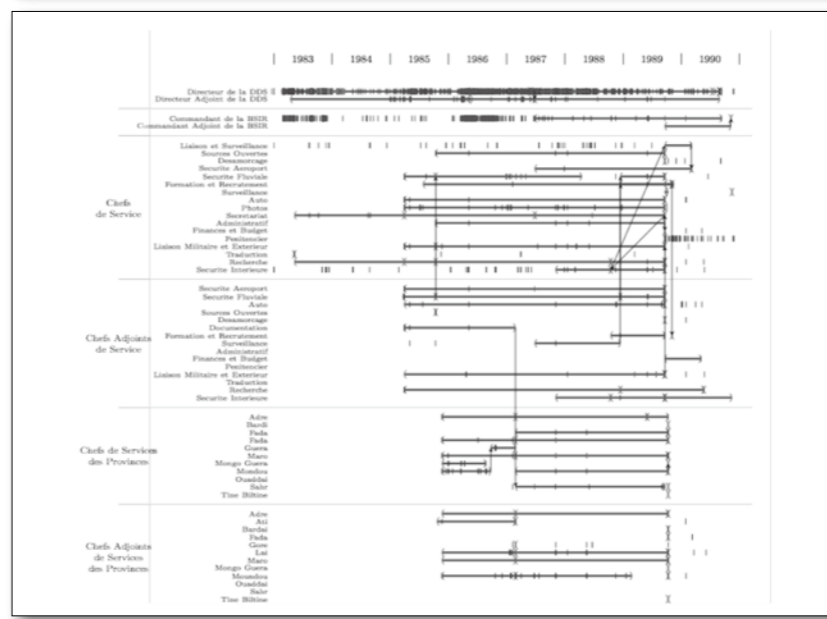
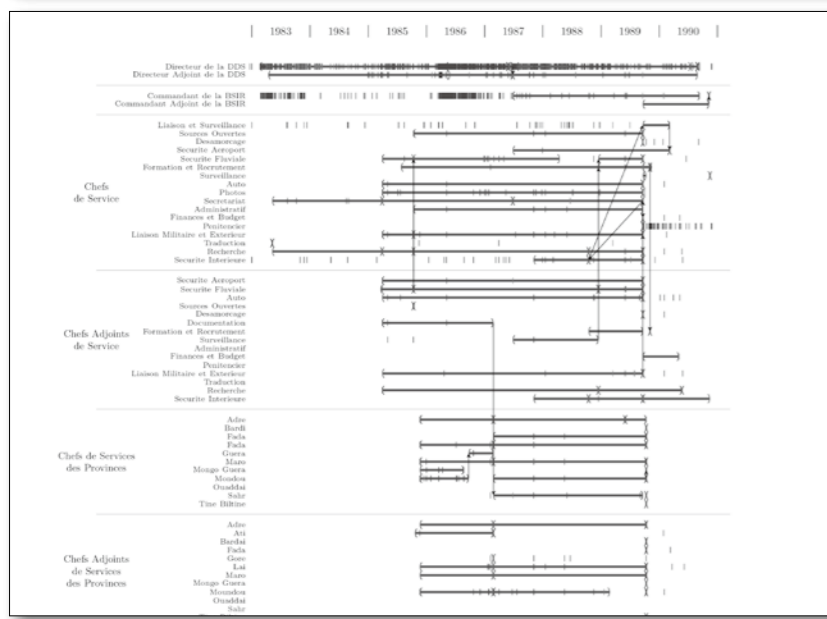


Romesh Silva, Jeff Klingner, and Scott Weikart. "State Coordinated Violence in Chad under Hissene Habre: A Statistical Analysis of Reported Prison Mortality in Chad's DDS Prisons and Command Responsibility of Hissene Habre, 1982-1990." © 2010 Benetech. Creative Commons BY-NC-SA.

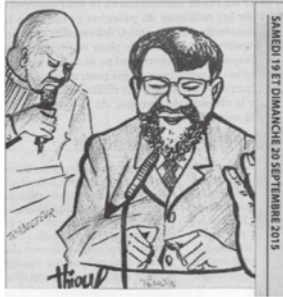
2010년 보고서를 통한 문서 흐름 분석



Romesh Silva, Jeff Klingner, and Scott Weikart. "State Coordinated Violence in Chad under Hissene Habre: A Statistical Analysis of Reported Prison Mortality in Chad's DDS Prisons and Command Responsibility of Hissene Habre, 1982-1990." © 2010 Benetech. Creative Commons BY-NC-SA.



My conclusions



- Mortality in DDS prisons was 90 to 540 times greater than normal adult male mortality in Chad.
- Worse than other prisons: 1.3-4.1x greater than US prisoners in Japanese custody during WW2
- 1.3-4.5x greater than German prisoners in Soviet custody during WW2

Verdict from the CAE (p 358, my translation):

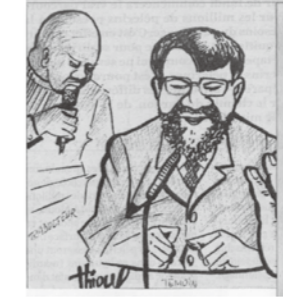
The statistical expert, Patrick Ball, has also concluded that mortality in DDS prisons September 1985 through January 1987 was “hundreds of times higher than normal mortality of adult men in Chad during the same period” and “substantially higher than those of the worst twentieth century prisoner of war contexts,” such as German prisoners of war & terms in Soviet prisons ... [The findings] invalidate the contention of the Defense that the detainees were receiving comparable treatment to the usual living conditions of the civilian population.

Imagine that you collect and combine three databases:



Which picture is accurate?

결론



- DDS 소년원의 사망률은 차드 일반 성인 남성 사망률의 90~540배가 높았다.
- 다른 사례들보다 심각 : 2차 세계대전 당시 미국이 구금하던 일본 포로의 사망률보다도 1.3~4.1배 높은 수준.
- 2차 세계대전 당시 소련이 구금하던 독일 포로의 사망률보다 1.3~4.5배 높은 수준.

CAE 판결 (p 358, 본인 번역):

통계 전문가인 패트릭 볼은 1985년 9월부터 1987년 1월까지의 DDS 소년원의 사망률에 대해 “같은 기간의 차드 성인 남성 사망률에 비해 수 백배가 높았다”, “20세기 전쟁 기간 동안 소련이 구금하던 독일 죄수들의 수준보다 상당히 심각한 수준이었다” 라고 결론내렸다. [이 발견들]은 억류자들이 일반 시민들의 일상적 주거 조건들과 비슷한 수준의 처우를 받았다는 차드 국방부의 주장이 틀렸음을 입증한다.

3가지 데이터베이스들을 수집하고 결합한다고 상상해봐라:



어떤 그림이 정확한가?

Record linkage and database deduplication

record	Name	father's name	DOB	Place of birth	sex	Place of death	DOD
1	47795 MAHMI MEHMED	HAMZA	11/02/67	GORICA	M	ZIDAR	28/06/93
2	47796 MAHMI MIRNES	FADIL	29/11/75	ZENICA	M		28/06/94
3	47797 MAHMI NEDAD	BAJRO	18/11/73	PALINOVII	M	RADNIK	20/04/93
4	47798 MAHMI NHAO	SAKIB	02/01/69	D.ULINJAK	M	RADNIK	04/10/92
5	47799 MAHMI NIJAZ	RAMO	28/03/62	MAHMI SELO	M	ZIDAR	10/06/94
6	47800 MAHMI RIFAT	MAHMUT	10/06/36		M		19/08/92
7	47801 MAHMI SAMIR	FKRET	25/05/72	ULINJAK	M	RADNIK	25/10/93
8	47802 MAHMI SEMIR	EKREM	30/01/72	BIKOVII	M	TRGOVAC	17/09/93
9	47803 MAHMI SENAD	MEHO	12/11/71	RUJNICA	M		02/06/92
10	47804 MAHMI SENAD	ISLAM	14/02/71	GORICA	M		17/04/95
11	47805 MAHMI SIFET	SELM	01/08/69	GORICA	M	RADNIK	06/06/93
12	47806 MAHMI SUJJO	SULEMAN	07/10/71	GRADI EE	M	RADNIK	29/06/92
13	47807 MAHMI AHZUDIN	MUHAREM	18/01/62	ULINJAK	M		02/10/92
14	47808 MAHMIJUBEGOVII HAJRUD	FEHM	22/12/58		M		24/05/92
15	47809 MAHMIJUBEGOVII MAHMUT	MEHMEDALJA	05/03/50		M		28/09/92
16	47810 MAHMIJUBEGOVII MUSTAF	NURJA	24/08/65		M		12/05/92
17	47811 MAHMIJUBEGOVII ASIM	MEHMED MAHMULJI	00/00/00	KOZARLIA	M		22/07/92
18	47812 MAHMIJUBEGOVII ASIMA	MEHMED	15/01/69	KOZARLIA		NASTAVNIK	24/05/92
19	47813 MAHMIJUBEGOVII ASMIR-API	ASIM	04/11/71	SANSKI MOST	M	SSS	10/09/92
20	47814 MAHMIJUBEGOVII DAVID	FERID	13/01/74	KOZARLIA	M	U EENIK	27/05/92
21	47815 MAHMIJUBEGOVII EDIN	MUHAREM	30/11/67	KOZARLIA	M	ZANATLIJA	26/06/92

Since 1999: Guatemala, Kosovo, Perú, Colombia, Timor-Leste, El Salvador, Liberia, Syria.

기록 결합과 데이터베이스의 데이터중복제거

1999년 이후: 과테말라, 코소보, 페루, 콜롬비아, 동티모르, 엘 살바도르, 리베리아, 시리아.

Confusing observation and reality can invert history



혼란스러운 관찰과 현실은 역사를 도치시킬 수 있다



The trial of former President of Guatemala, Gen. José Efraín Ríos Montt



前 과테말라 대통령 호세 에푸라인 리오스 몬트 장군 재판



Expert testimony in Ríos Montt



리오스 몬트에 대한 전문가 증언



The principal conclusion

April 1982 - July 1983 in Chajul, Cotzal, and Nebaj:

$$\text{Indigenous: } \frac{2,147 \text{ deaths by the Army}}{38,902 \text{ total population}} = 5.5\%$$

$$\text{Non-indigenous: } \frac{41 \text{ deaths by the Army}}{5,882 \text{ total population}} = 0.7\%$$

$$\frac{5.5\%}{0.7\%} = 7.9$$

The rate of homicide committed by the Army was approximately eight times greater than the corresponding rate against non-indigenous people.

주요 결론

차줄, 콧잘, 네바지의 1982년 4월부터 1983년 7월까지:

$$\text{토착민: } \frac{\text{군대에 의한 사망 2,147명}}{\text{총 인구 38,902명}} = 5.5\%$$

$$\text{토착민이 아닌: } \frac{\text{군대에 의한 사망 41명}}{\text{총 인구 5,882명}} = 0.7\%$$

$$\frac{5.5\%}{0.7\%} = 7.9$$

군대에 의해 자행된 토착민 살인율은 토착민이 아닌 이들에게 가해진 상응하는 수치에 비해 대략적으로 8배가 많은 수치였다.

Data

· Census of 1981

Homicide records:

- CIIDH: 1240 records
- REMHI: 779 records
- CEH: 1077 records
- PNR: 4698 records

데이터

· 1981년 인구 조사.

살인 기록:

- 인권조사국제센터: 1240 건.
- 역사기록복원프로젝트: 779 건.
- 역사해명위원회: 1077 건.
- 국가보상프로그램: 4698 건.

Integrated data

Tabla 1: Distribución de registros en cuatro fuentes (para todos los perpetradores)

	CIIDH	REMHI	CEH	PNR	todos períodos	abr 1982-jul 1983
n_{0000}	0	0	0	0	desconocido	desconocido
n_{0001}	0	0	0	1	3317	1021
n_{0010}	0	0	1	0	410	104
n_{0011}	0	0	1	1	374	94
n_{0100}	0	1	0	0	254	55
n_{0101}	0	1	0	1	318	54
n_{0110}	0	1	1	0	33	2
n_{0111}	0	1	1	1	49	4
n_{1000}	1	0	0	0	453	53
n_{1001}	1	0	0	1	482	98
n_{1010}	1	0	1	0	93	19
n_{1011}	1	0	1	1	86	11
n_{1100}	1	1	0	0	43	4
n_{1101}	1	1	0	1	50	8
n_{1110}	1	1	1	0	14	1
n_{1111}	1	1	1	1	18	2

통합 데이터

4가지 기록 소스를 통한 분포(모든 가해자에 대해)

Tabla 1: Distribución de registros en cuatro fuentes (para todos los perpetradores)

	CIIDH	REMHI	CEH	PNR	todos períodos	abr 1982-jul 1983
n_{0000}	0	0	0	0	desconocido	desconocido
n_{0001}	0	0	0	1	3317	1021
n_{0010}	0	0	1	0	410	104
n_{0011}	0	0	1	1	374	94
n_{0100}	0	1	0	0	254	55
n_{0101}	0	1	0	1	318	54
n_{0110}	0	1	1	0	33	2
n_{0111}	0	1	1	1	49	4
n_{1000}	1	0	0	0	453	53
n_{1001}	1	0	0	1	482	98
n_{1010}	1	0	1	0	93	19
n_{1011}	1	0	1	1	86	11
n_{1100}	1	1	0	0	43	4
n_{1101}	1	1	0	1	50	8
n_{1110}	1	1	1	0	14	1
n_{1111}	1	1	1	1	18	2

알려지지 않은

An introduction to MSE

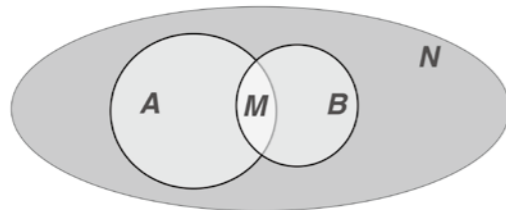
$$p(A) = \frac{A}{N}$$

$$p(B) = \frac{B}{N}$$

$$p(M) = \frac{M}{N} = \frac{A}{N} \cdot \frac{B}{N}$$

$$MN = AB$$

$$\hat{N} = \frac{AB}{M}$$



There are decades of development on this method: see Lum et al. (2013), *The American Statistician*, 67(4):191-200

MSE 소개

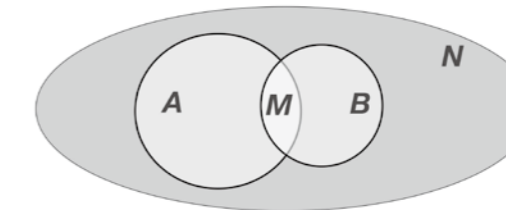
$$p(A) = \frac{A}{N}$$

$$p(B) = \frac{B}{N}$$

$$p(M) = \frac{M}{N} = \frac{A}{N} \cdot \frac{B}{N}$$

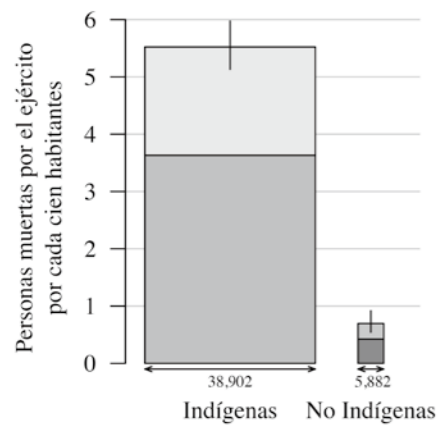
$$MN = AB$$

$$\hat{N} = \frac{AB}{M}$$



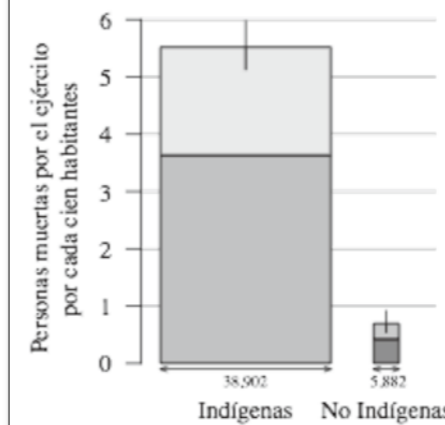
이 방법에 대한 개발은 수십년간 진행되고 있다: 참고 Lum et al. (2013), *The American Statistician*, 67(4):191-200

The principal conclusion



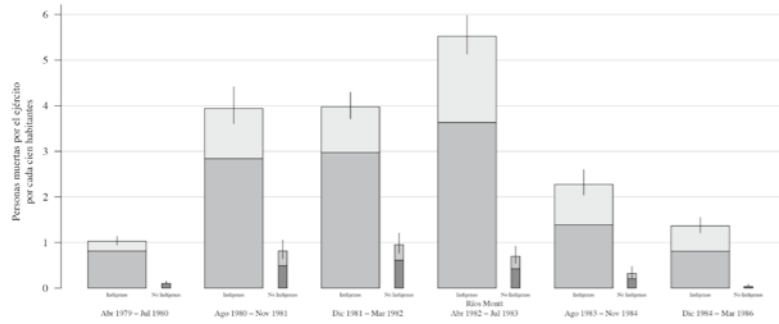
- Includes only those homicides committed by the Army
- The percentages relate the number of people killed by the Army with the population enumerated by the census in 1981.
- More than 5% of the indigenous population alive in April 1982 died before July 1983. During the same period, 0.7% of the non-indigenous population died of the same cause.
- The homicide rate of the indigenous population was 8 times greater than that of the non-indigenous population.

주요 결론



- 군대에 의해 자행된 살인만 포함.
- '%들'은 군대에 의해 살해된 사람들의 숫자와 연관성을 지닌다(인구는 1981년 인구조사 데이터).
- 토착민 인구의 5퍼센트 이상이 1982년 4월에는 살아 있었지만, 1983년 7월 이전에 사망했다. 같은 기간 동안, 토착민이 아닌 인구의 0.7%는 같은 이유로 사망했다.
- 토착민 살인율은 토착민이 아닌 인구의 살인율보다 8배가 높았다.

Comparable periods



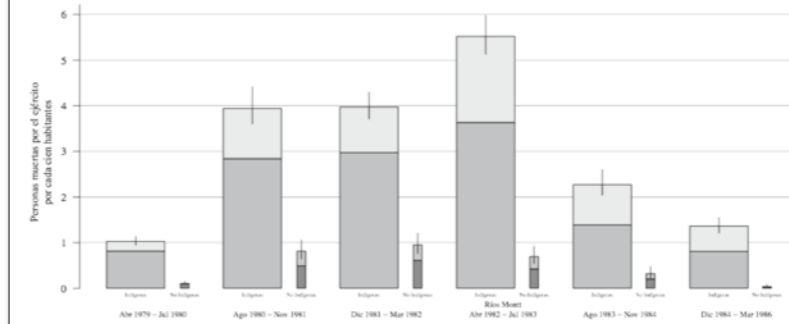
The point of rigorous statistics is to be right, or at least to have a sense of how imprecise the measures are

- If you don't care if you're right, why bother with any rigor? Or evidence, for that matter. But if you do care if you're right:
- Statistics is about *populations*, not individuals: all students; all schools in a district; all the killings in Syria.
- Statistics is mostly about *comparisons*: changes over time; comparisons among regions; vocabulary vs comprehension.
- Statistical models are necessary if you have only some of the data, but you want to generalize to the population.
- Partial data means that estimates are not exact. Some statisticians define statistics as the *science of uncertainty*.

Three ways to have rigorous statistics

- A perfect census: if you have all the possible data, you can do anything you like. This is what "big data" *should* mean.
- A random sample of the population (or a probability sample of some kind)
- Posterior modeling of the sampling process (e.g., capture-recapture, raking)

비슷한 기간



엄격한 통계의 요점은 측정방법들이 얼마나 부정확한지, 혹은 정확한지에 대한 감각을 갖게 한다

- 만약 당신이 정확성에 대해 신경쓰지 않는다면, 왜 엄격함과 증거에 대해 신경쓰는가? 그러나 만약 당신이 정확성에 대해 신경 쓴다면:
- 통계는 개인에 관한 것이 아닌, 인구에 관한 것이다 :
 - 모든 학생; 지역 내 모든 학교; 시리아의 모든 살인.
- 통계는 대개 비교에 관한 것이다 :
 - 시간에 의한 변화들; 지역 간 비교들; 어휘 대 이해.
- 통계 모델은 만약 데이터의 일부만 갖고 있지만, 인구를 일반화하고 싶을 때 필요하다.
- 부분 데이터는 추정치들이 정확하지 않다는 것을 의미한다. 몇몇 통계학자들은 통계를 '불확실성의 과학'이라 정의한다.

엄격한 통계를 위한 3가지 방법

- 완벽한 인구조사 : 만약 당신이 가능한 모든 데이터를 갖고 있다면, 원하는 모든 것을 할 수 있다. 이는 바로 "빅 데이터"의 의미와도 같다.
- 인구 무작위 샘플 (혹은 확률 표본)
- 샘플링 과정의 포스테리어 모델링 (예를 들어, 포획-재포획, 굶어모으기)

Vocabulary and concepts



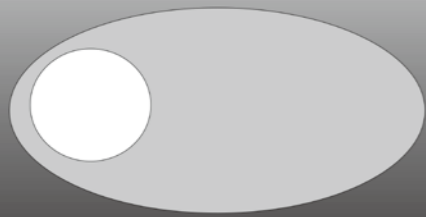
Universe: all the stuff you want to measure. E.g., people, schools. Note: you can't usually observe the whole universe all at once.

어휘와 개념들



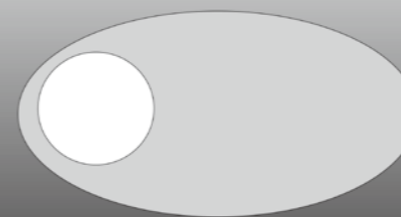
모집단: 당신이 측정하고 싶은 모든 것. 예를 들어, 사람들, 학교.
주의: 당신은 보통 동시에 모든 모집단을 관찰할 수는 없다.

Vocabulary and concepts



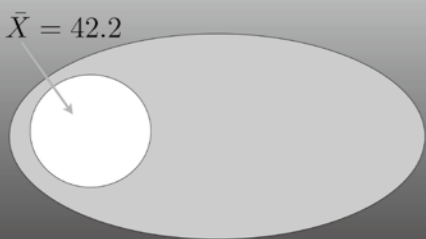
Sample: the part of the universe you can observe. The most important questions about samples are: how was it selected? What's not in it?

어휘와 개념들



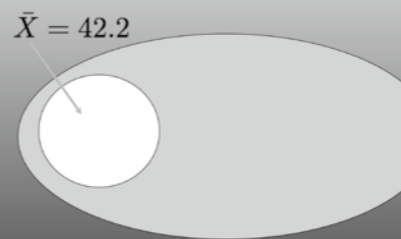
샘플: 모집단 중 당신이 관찰 가능한 부분.
샘플에 관해 가장 중요한 질문들: 어떻게 선별되었는가? 무엇이 포함되지 않았는가?

Vocabulary and concepts



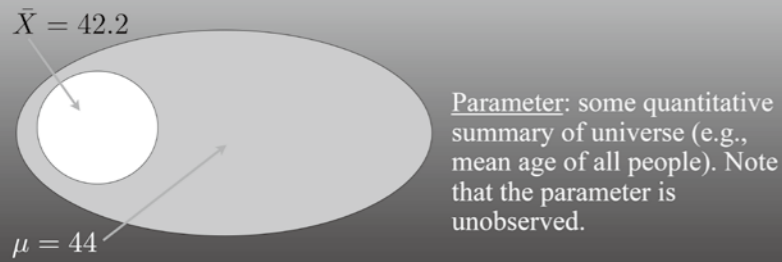
Statistic: some quantitative summary of sample (e.g., mean age of sampled people).

어휘와 개념들

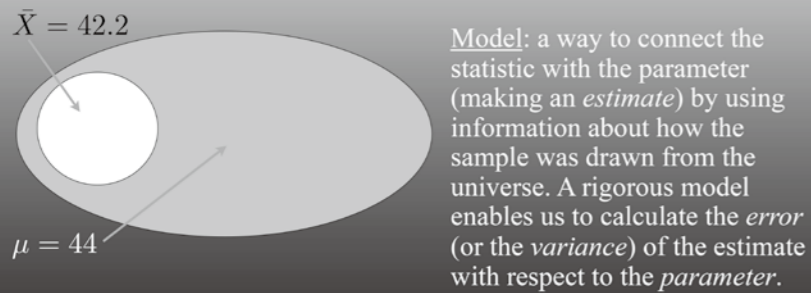


통계: 몇몇 샘플의 양적 개요 (예를 들어, 샘플로 추출된 사람들의 평균 연령).

Vocabulary and concepts



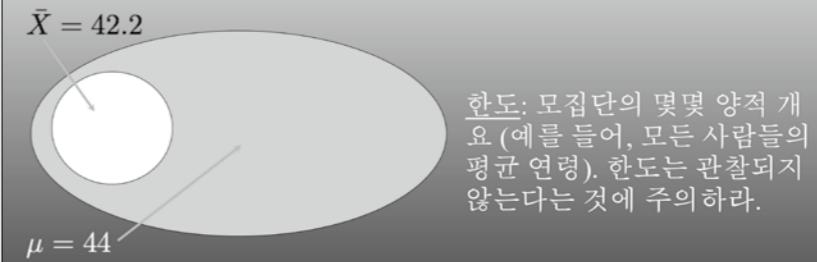
Vocabulary and concepts



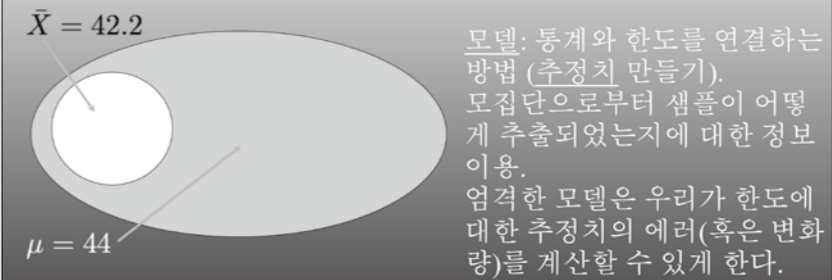
Vocabulary review

- Universe: the world we want to measure
- Sample: an observable subset of the universe
- Statistic: a quantitative summary of the sample
- Parameter: the (unobserved) quantitative summary of the
- Model: given sampling design and statistic, yields estimate and error
- Estimate (the thing we want to know!)
- Error (variance, confidence interval, “margin of error”)
- Bias: a systematic distortion in the estimate

어휘와 개념들



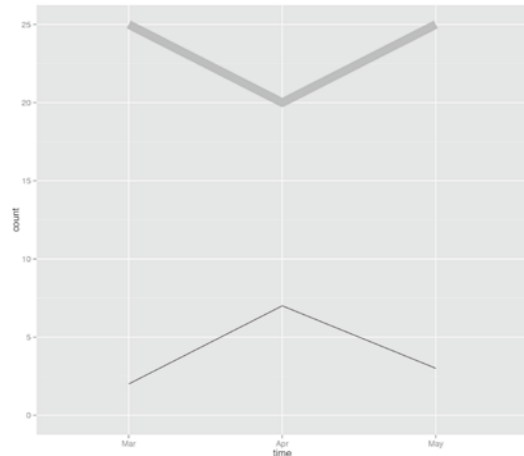
어휘와 개념들



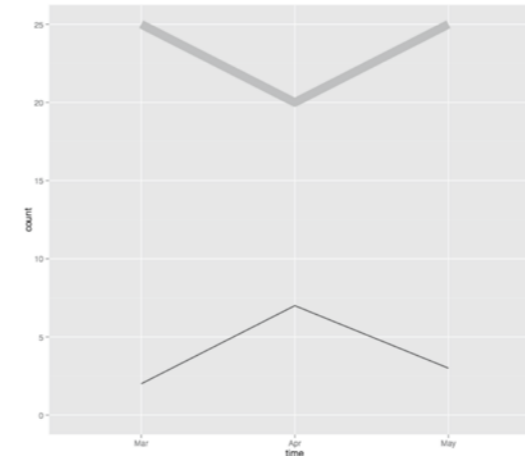
어휘 검토

- 모집단: 우리가 측정하고픈 세계.
- 샘플: 모집단의 관찰가능한 부분 집합.
- 통계: 샘플의 양적 개요.
- 한도: (관찰되지 않는) 모집단의 양적 개요.
- 모델: 주어진 샘플링 디자인과 통계, 추정치와 에러를 산출함.
- 추정치(우리가 알고싶은 것!).
- 에러(변화량, 신뢰구간, “오차범위”).
- 편향: 추정에 관한 조직적 왜곡.

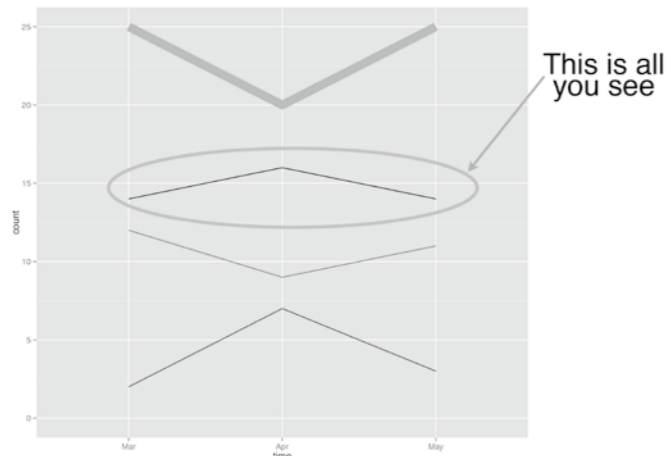
Adding data can make analysis *more* misleading



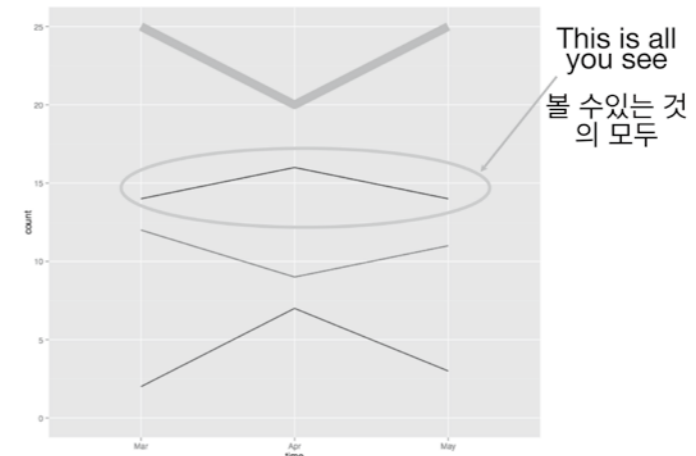
데이터 추가는 분석을 더욱 호도할 수 있다



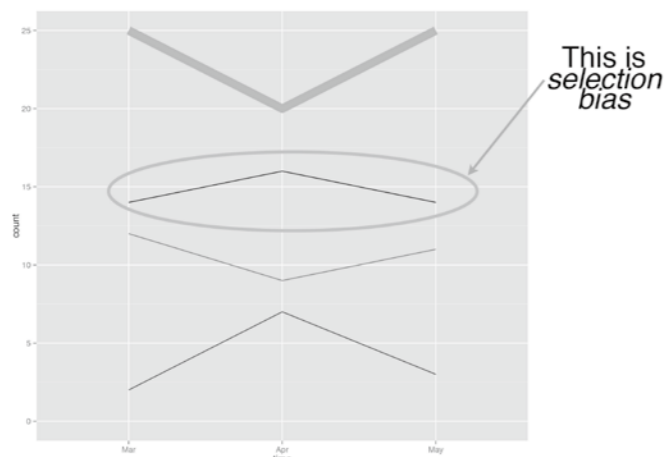
More information is not always better!
Sampling process is more important than sample size.



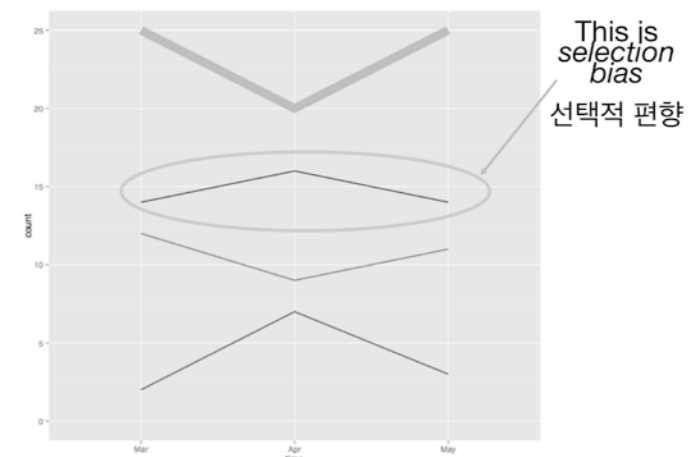
더 많은 정보가 항상 나은 것은 아니다!
샘플링 과정은 샘플의 크기보다 더 중요하다



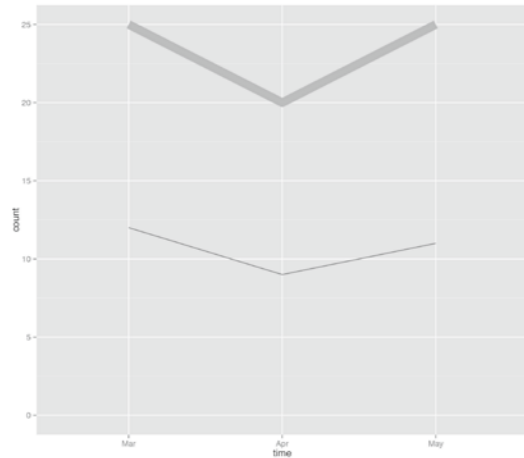
The naive model assumes the statistic is the parameter,
without worrying about sampling or error



순수한 모델은 샘플링이나 에러와 무관한 한도일 것이라고 추정한다



Adding data can make analysis *more* misleading



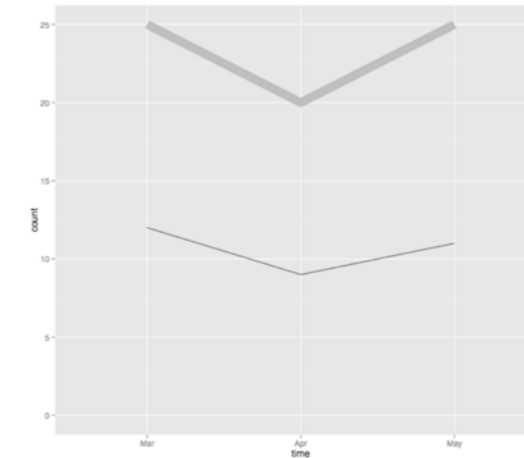
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- Estimate (the thing we want to know!)
- Error (variance, confidence interval, “margin of error”)
- Bias: a systematic distortion in the estimate

Common misunderstandings in data analysis

- “Something is better than nothing” ← nope
- “Just tell the reader what it means” ← nope
- “We need to *verify* the data” ← makes bias worse
- “We just need better data” ← the data will never be good enough

데이터 추가는 분석을 더욱 호도할 수 있다



어휘 검토

- 모집단: 우리가 측정하고자 하는 세계.
- 샘플: 모집단의 관찰가능한 부분 집합.
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- 한도: (관찰되지 않는) 모집단의 양적 개요.
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- 편향: 추정에 관한 조직적 왜곡.

데이터 분석에 대한 흔한 오해

- “아무것도 없는 것 보단 뭐라도 있는게 낫다” ← 아님!
- “그냥 독자들에게 이게 뭘 의미하는지 말해” ← 아님!
- “데이터를 확인할 필요가 있다” ← 편향 악화
- “그저 더 나은 데이터가 필요할 뿐” ← 데이터는 더 좋아질 수 없다

What do to *now*

- Write it down and don't lose it
- Record *narratives*, not data
- If you can, get copies of photos, videos, medical records, border and immigration records, satellite images, news reports . . .
- Get *stories* — text and video — because that's how people remember, and the victims' voices are the most important thing.
- Don't optimize too soon! Don't focus, don't think about admissible evidence. That comes later. For now, make sure you don't forget.



지금 할 것

- 적어 놓고 잃어버리지 마라.
- 데이터가 아닌 묘사를 기록하라.
- 만약 가능하다면, 사진과 영상, 의료 기록, 지역 구분과 이주자 기록, 위성 사진, 뉴스 취재 등의 복사본을 구하라.
- 스토리를 얻어라 - 글과 영상 - 왜냐하면 이는 사람들이 기억을 하는 방법이고, 희생자들의 목소리가 가장 중요하기 때문이다.
- 너무 빨리 긍정화시키지 마라! 인정 증거에 대해 생각하지도, 집중하지도 마라. 그것은 이후에 따라 온다. 지금으로서는, 잊지 않는 것을 확실히 해라.



RESEARCH

SYRIA DETENTION

SYRIA: 'IT BREAKS THE HUMAN': TORTURE, DISEASE AND DEATH IN SYRIA'S PRISONS

By Amnesty International, 18 August 2016, Index number: MDE 24/4508/2016

The experiences faced by detainees in Syria's detention system are often lethal. An estimated 17,723 people were killed in custody across Syria between 2011 and 2015, with the real number likely to be even higher. Of the 616 former detainees interviewed by Amnesty International for this report, most had witnessed at least one death in custody. All had been tortured and/or otherwise ill-treated.

View report in English

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From a Bayesian estimate, including undocumented deaths, with a 95% credible interval (13,409, 18,713)

CAMPAIGNS

Mongolia: Further information: 2...

RESEARCH

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기록되지 않는 죽음들을 포함한 신뢰구간 95%의 베이지안 모수추정을 통해 (13,409, 18,713)

CAMPAIGNS

Mongolia: Further information: 2...

Statistical Appreciation:
What should we know
in order to know when statistics are plausible?

Patrick Ball
Director of Research, HRDAG
July 2017



통계적 이해 :
통계가 유효할 때를 알기 위해
우리가 알아야 할 것은?

패트릭 볼
리서치 디렉터, HRDAG
2017년 7월



Forensic Science

Stefan Schmitt, M.S.

Former Director of the International Forensic Program, Physicians for Human Rights (PHR)

International Documentation of Crime Scenes & Evidence in Conflict Scenarios

Definitions and International Considerations

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What does 'crime scene' do?

- In Spanish: "*Gabinete de Identificacion*"
 - which means "Identification Unit"
- Identification of:
 - Evidence, which in turn serves to:
 - Determine who was at the scene at the time of the incident.
 - Determine a sequence of events

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법과학

스테판 슈미트

인권을위한의사회(PHR) 전 국제법과학프로그램 디렉터

범죄 현장에 대한 국제조사기록 & 분쟁 시나리오 증거

의미와 국제적 고려

stefanschmitt@gmail.com
+1 857 928 9182

‘범죄현장’의 의미

- 스페인어: "*Gabinete de Identificacion*"
 - = '신원확인 단위'
- 다음 사항 확인:
 - 아래의 사항들을 위한 증거:
 - 사건 발생 당시 누가 현장에 있었는지 밝힘
 - 사건 순서 밝힘

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What defines a crime scene?

- Legal Context
 - Has a crime occurred or not?
 - Often times, crime scene analysts serve the purpose of establishing whether a crime has occurred or not.
- Location
 - Geographically, what is the area in which to expect EVIDENCE
- Time
 - What is the sequence of events that led up to the incident under investigation?

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범죄 현장을 정의하는 것

- 법률적 문맥
 - 범죄의 발생여부
 - 범죄 현장 분석가들은 범죄가 발생했는지의 여부를 판단함
- 위치
 - 지리학적으로 증거의 존재 가능성이 예상되는 장소를 예측
 - 시간
 - 조사가 진행 중인 사건의 발생 경위는 무엇인가?

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Searching a crime scene

*A crime scene search is a planned and coordinated **legal search** of a crime scene to locate physical evidence and witnesses to the crime under investigation.*

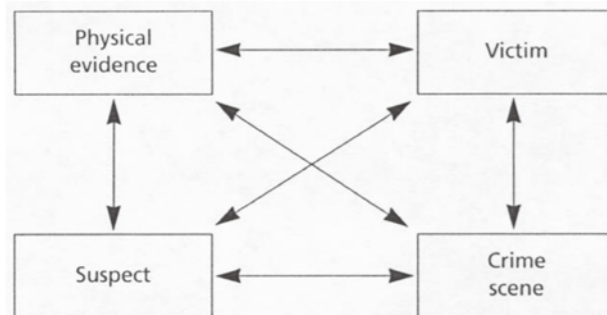
stefanschmitt@gmail.com +1 857 928 9182

범죄 현장 탐색

범죄 현장 탐색은 물리적 증거와 수사 중인 범죄의 증인을 찾기 위해 조직적으로 계획된 범죄 현장에 대한 법률적 수색이다

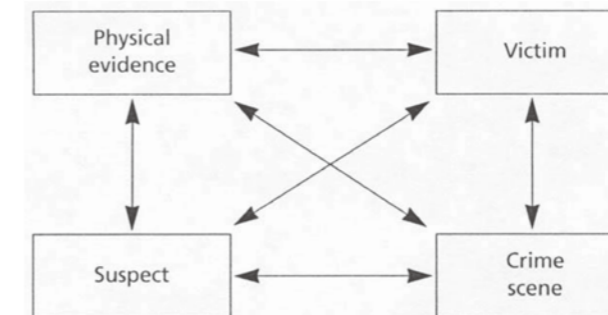
stefanschmitt@gmail.com +1 857 928 9182

Evidence and Linkage Theory



stefanschmitt@gmail.com +1 857 928 9182

증거와 연결 이론



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Evidence is:

“That which is legally submitted to a competent tribunal as a means of ascertaining the truth of any alleged matter of fact under investigation before it.”

Testimonial Evidence

Physical Evidence

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증거는:

“조사과정에 있는 주장된 사실에 대한 진위여부를 확인하기 위해 공신력 있는 재판소에 합법적으로 제출된 것”

공술 증거

물리적 증거

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Testimonial Evidence

- Subjective
- Is affected by memory, perception, and emotion
- Can change over time

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공술 증거

- 주관적
- 기억, 인식과 감정에 영향 받음
- 시간에 따라 변함

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Physical Evidence

- Transient Evidence
- Conditional Evidence
- Pattern Evidence
- Transfer Evidence
- Associative Evidence

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물리적 증거

- 일시적 증거
- 조건적 증거
- 정형 증거
- 전이 증거
- 연합적 증거

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Transient Evidence

- Temporary evidence that can easily be changed or lost
 - odors
 - temperature
 - temporary markings
 - temporary environmental features

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일시적 증거

- 일시적 증거는 쉽게 변하거나 소멸될 수 있다
 - 냄새
 - 온도
 - 일시적 흔적
 - 일시적인 환경적 특징

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Conditional Evidence

- Evidence that is produced by an event or an action
 - open windows
 - lighting
 - condition of the victim's body
 - location of a piece of evidence

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조건적 증거

- 사건이나 행동에 의해 발생한 증거
 - 열린 창문
 - 빛
 - 희생자 시신 상태
 - 증거의 위치

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Pattern Evidence

- Imprints/indentations
 - shoe/tire tracks
- Fractures
 - glass
- Depositions
 - blood spatter
 - gun shot residue (clothing/body)
 - distance determination

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증거의 패턴

- 각인/자국
 - 신발/타이어 자국
- 균열
 - 유리
- 퇴적물
 - 핏자국
 - 탄환 잔존물(옷/신체)
 - 거리 측정

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Physical Evidence Two Classifications:

- | | |
|--|---|
| <ul style="list-style-type: none"> ■ Class Characteristics ■ No definite ID ■ Can come from more than one source ■ Insufficient markings for positive ID ■ Examples: Shoe size, type of sole | <ul style="list-style-type: none"> ■ Individual Characteristics ■ Positive ID ■ Coming from only one source ■ Fingerprints ■ Bullet comparisons ■ Fracture matches |
|--|---|

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Crime Scene: Preservation of Evidence

- Intangible Evidence:
 - odors (gasoline, natural gas, etc.)
 - temperature
- Tangible/Physical Evidence
- Witness Statements

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Physical Evidence

- Trace Evidence
- Latent Fingerprint Evidence
- Serological (Biological) Evidence
- Firearms/Toolmark Evidence
- Documents
- Toxicology/Chemistry (Drugs)
- Computers

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물리적 증거 2가지 분류:

- | | |
|---|---|
| <ul style="list-style-type: none"> ■ 유형 특징 ■ 신분의 불분명함 ■ 한 가지 이상의 소스 ■ 확실한 신분확인을 위한 지표의 불충분성 ■ 예시: 신발 사이즈, 밑창의 종류 | <ul style="list-style-type: none"> ■ 개별적 특성 ■ 확실한 신원 ■ 한 가지 근원 ■ 지문 ■ 총알 비교 ■ 균열 대조 |
|---|---|

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범죄 현장: 증거 보존

- 무형 증거:
 - 냄새(휘발유, 천연 가스 등)
 - 온도
- 유형/물리적 증거
- 증인 진술

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물리적 증거

- 증거 추적
- 잠재된 지문 증거
- 혈청학적(생물학적) 증거
- 화기/ 툴마크 증거
- 기록 문서
- 독성학/화학(약물)
- 컴퓨터

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Identification

- Locard Exchange Principle:
 - *“It is simply impossible for anyone to enter a location without changing it in some way, either by bringing something to it or removing something from it.”*
- Evidence that puts people in contact with each other or with a place.

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Preserving Evidence Admissability in Court

- Chain of Custody
- Preservation Considerations – “Preserve/protect the evidence”

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Chain of Custody – The Ideal Case

- Scene Integrity
 - The beginning/origin of evidence
- Jurisdiction:
 - Do you have the right to collect evidence?
- Securing a scene:
 - determining geographical dimensions of the scene
 - determining/controlling who has and who has had access to the scene
 - restricting access
 - determining entry and exit

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신원 확인

- 로카르의 교환 원리:
 - “누구든지 어떠한 장소에 들어갈 때 그곳에 무언가를 지니고 가거나 그곳에서 무언가를 이동시키기 때문에 반드시 장소에 변화를 주게 된다.”
- 사람들 간의 접촉 혹은 장소와의 접촉 증거

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법정에서 용인될 수 있는 증거 보존

- 증거물 보관의 연속성
- 보존 고려사항-
‘증거의 보존/보호’

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증거물 보관의 연속성-이상적 사례

- 현장 통합
- 증거의 시작/기원
- 관할권:
 - 당신은 증거를 수집할 권한이 있는가?
- 현장 보존:
 - 현장의 지리적 차원 결정
 - 현장에 접근 권한이 있었던 인물 혹은 현재 접근 권한이 있는 인물 밝힘/규제
 - 접근 통제
 - 출입과 출구 결정

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Chain of Custody – The Ideal Case

- Securing the site/crime scene
 - crime scene tape
 - guarding officers/deputies
- Access Log
 - Who has had access to the site?
 - Who has access to the site while under investigation?
- Evidence identification, documentation, and collection
 - Identification: marking the evidence
 - Documenting: photographs, sketch, & corroborating notes
 - Collection: Preservation through correct and labeled packaging, & legal transportation.

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Chain of Custody – The Ideal Case

- Designated Evidence Technician
 - 'discovery' of evidence
 - in situ documentation (designation, log, photography)
 - collection of evidence
 - packaging and sealing

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Chain of Custody – The Ideal Case

- Designated Evidence Technician
 - 'discovery' of evidence
 - in situ documentation (designation, log, photography)
 - collection of evidence
 - packaging and sealing

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증거물 보관의 연속성-이상적 사례

- 장소/범죄 현장 보존
 - 범죄 현장 테이프
 - 장교/대표단 감찰
- 접근
 - 현장에 접근했던 사람은 누구인가?
 - 조사 기간 중에 현장에 접근가능한 사람은 누구인가?
- 증거 확인, 조사기록과 수집
 - 확인: 증거 남기기
 - 조사기록: 사진, 스케치 & 노트 제공
 - 수집: 정확하고 분류된 패키징을 통해 보존 & 합법적 운반

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증거물 보관의 연속성-이상적 사례

- 지정된 증거 기술자
 - 증거 '발견'
 - 원 위치 조사기록 (지정, 로그, 포토그래피)
 - 증거수집
 - 패키징과 밀봉

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증거물 보관의 연속성 – 이상적 사례

- 지정된 증거물 기술자
 - 증거의 '발견'
 - 올바른 위치에 있는 기록 (지정, 로그, 사진)
 - 증거 수집
 - 포장, 봉인

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Chain of Custody – The Ideal Case

- Documented through:
 - Scene Documentation:
 - notes
 - photographs/video
 - sketch
 - on Packaging
 - on Evidence Receipt/Inventory Forms
 - in an Electronic Evidence Management System

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Chain of Custody – The Ideal Case

- Identification markings on evidence
 - labeling on appropriate packaging of evidence
 - Case #
 - Exhibit # - brief description
 - Location (sketch/coordinates/photo marker #)
 - Name/signature/initials of person collecting evidence
 - Date and time collected
 - Sealed with evidence tape and initialed

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Chain of Custody – Bottom Line!

- For physical evidence, an “Exhibit”, to be accepted into a court of law at some point in time:
 - Established “Chain of Custody”, proving that a particular piece of evidence was INDEED identified, documented, and collected as it is claimed by the investigator.
 - The less oral testimony necessary to establish this fact, the better!
- So: Photographs, sketches, & notes can constitute evidence and need to be treated as such

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증거물 보관의 연속성 – 이상적 사례

- ~을 통해 기록하기:
 - 현장 기록:
 - 노트
 - 사진/영상
 - 스케치
 - 포장하기
 - 증거 영수증/인벤토리(재고) 형식
 - 전자 증거 관리 시스템

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증거물 보관의 연속성 – 이상적 사례

- 증거에 대한 식별 표시
 - 적절하게 ‘증거-포장’ 라벨링하기
 - 사건 #
 - 증거물 # - 간결한 서술
 - 장소 (스케치/좌표/사진 표시(마커) #)
 - 이름/서명/증거를 수집하는 사람의 이니셜
 - 수집한 날짜와 시간
 - 증거 테이프로 봉인하고 이니셜 표시

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증거물 보관의 연속성 – 핵심!

- 물리적 증거인 “증거물”이 이후 법정에서 받아들여지기 위해서는:
 - 조사관이 주장한 것과 같이 증거의 특정 부분이 정말로 식별되고, 문서화되고, 수집된 것임을 증명하는 “증거물 보관의 연속성”을 정립하기.
 - 더 적은 구두 증언이 요구된다면, 더 좋다!
- 즉: 사진, 스케치 & 노트는 증거물을 구성하고 또 그렇게 취급되어야 한다.

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The International Investigator...

The “not so ideal-case scenario”!

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The International ‘First Responder’

- Lack of jurisdiction
- Witnesses and/or investigators are at risk
- Contaminated & unsecured ‘crime scene’
- Time passed since the incident
- Limited time at scene
- Limited access to the scene

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Chain of Custody – ‘First Responder’ International Reality

- Problems
 - No scene security
 - Contaminated scene
 - Lack of a “legal search” of the scene, i.e. you have no jurisdiction
- Challenges:
 - Defining your role as an ‘investigator’
 - Identifying “evidence”
 - Creating a “chain of custody”
- Generally: No collection & transportation of evidence

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국제 수사관...

그렇게 ‘너무 이상적-사건 시나리오’는 아닌!

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국제적 ‘최초의 응답자’

- 사법권(관할권)의 부재
- 증인 / 수사관의 위태로움
- 오염된 & 보안이 부재한 ‘범죄 현장’
- 사건 이후 경과해버린 시간
- 현장에서의 제한된 시간
- 현장에서의 제한된 접근

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증거물 보관의 연속성 – ‘최초의 응답자’ 국제적 현실

- 문제점
 - 현장 보안의 부재
 - 오염된 현장
 - 현장의 ‘법적 조사’ 결여, 즉, 당신은 사법권(관할권)이 없다
- 시험대:
 - 당신의 역할을 ‘수사관’으로 분명히 밝히기
 - ‘증거’ 식별하기
 - ‘증거물 보관의 연속성’을 만들기
- 일반적: 증거 수집 & 수송 없음

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International 'First Responder'

Increasing the Value/Weight of your Documentation.

Quick flashback:

Truth Seeking Rule #2: Reality determines which statements are true. Truth is not about YOU (about your beliefs). Though an idea may be true that doesn't mean you know it is true.

Truth Seeking Rule #3: One knows the truth of a statement only when he can verify it by reality.

Truth Seeking Question #3: What tests can be performed to help determine whether an idea is true?

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International 'First Responder'

Increasing the Value/Weight of your Documentation.

- Creating a 'Chain of Custody' via Documentation
 - Notes:
 - **What do you know and how do you know it**
 - Photographs & Sketch
 - **One knows the truth of a statement only when it can be verified by reality.**
- Documentation that is 'standardized' enough that it can be 'tested' independently by other 'experts'

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International 'First Responder'

Added Value/Weight Through Correct Documentation.

Remember:

- The Scientific Method: The Solution!
 - Documentation of reality via "characterizations" "standardized" through:
 - Observations – Notes, Photographs,
 - Measurements – List of items/evidence, sketches
- All the above, so that experts can:
 - Hypothesize
 - Predict
 - Conduct experiments

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국제적 '최초의 응답자'

기록의 가치/무게 향상시키기.

이전의 것을 짧게 요약하자면:

진실 탐색 규칙 #2: 현실이 증언의 진실 여부를 결정한다. 진실은 당신에 관한 것이 아니다(혹은 당신의 믿음). 비록 아이디어가 사실일지라도, 그것이 당신이 진실을 안다는 것을 의미하진 않는다.

진실 탐색 규칙 #3: 오직 증언이 현실에 의해 확인됐을 때만, 그 증언의 진실 여부를 알 수 있다.

진실 탐색 규칙 #3: 아이디어의 진실 여부를 결정하는 데에는 어떤 테스트가 수행될 수 있는가?

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국제적 '최초의 응답자'

기록의 가치/무게를 향상시키기.

- 기록을 통한 '증거물 보관의 연속성' 만들기
 - 주의:
 - 무엇을 알고, 어떻게 아는가
 - 사진 & 스케치
 - 오직 현실을 통해 확인이 될 때만 증언이 진실임을 알 수 있다.
- 다른 '전문가들'을 통해 '실험'가능할 수 있을 정도로 충분히 '표준화'된 기록

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국제적 '최초의 응답자'

정정된 기록을 통해 추가된 가치/무게.

기억할 점:

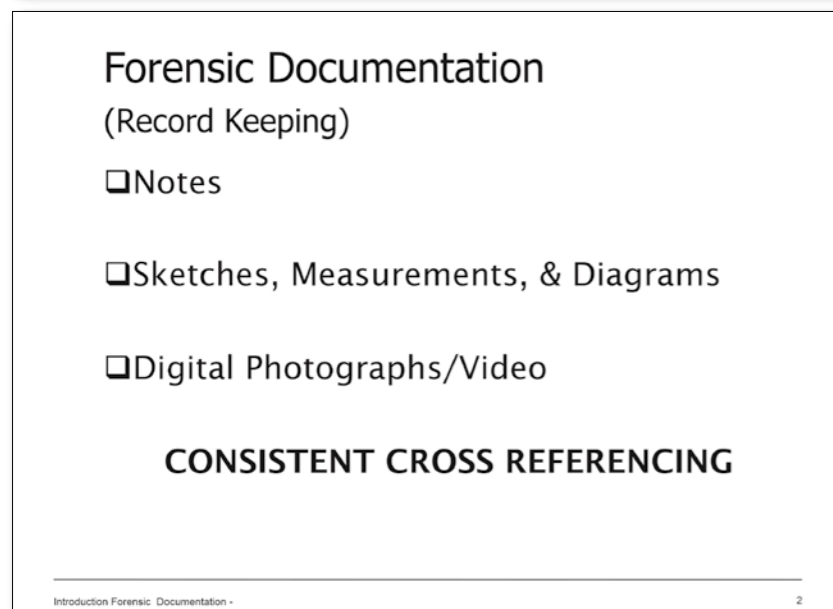
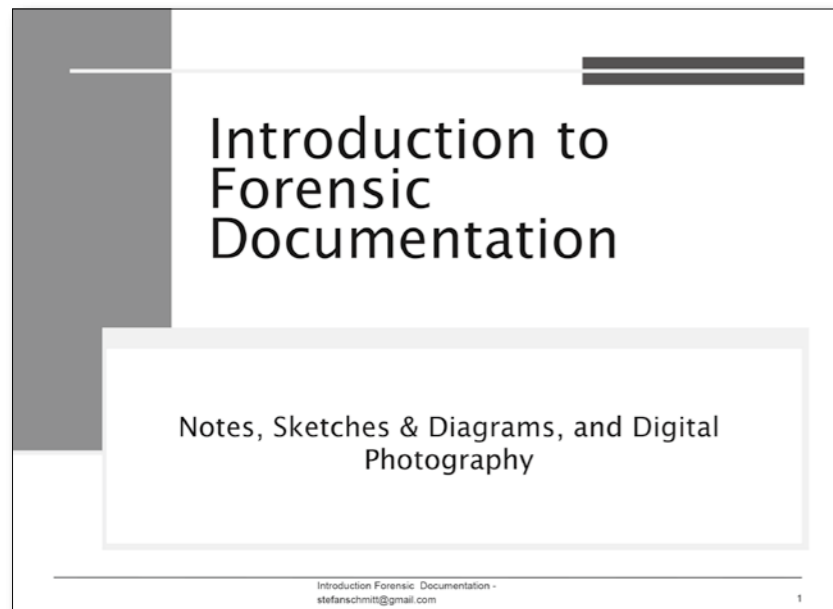
- 과학적 방법: 해결책!
 - '성격 묘사', '표준화'를 통한 현실 기록:
 - 관찰 – 노트, 사진,
 - 측정 – 항목/증거, 스케치 목록
- 무엇보다 전문가들이 다음과 같은 항목들을 가능하게 하기 위하여:
 - 가설
 - 예측
 - 실험 착수

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Introduction to Forensic Documentation

Stefan Schmitt, M.S.

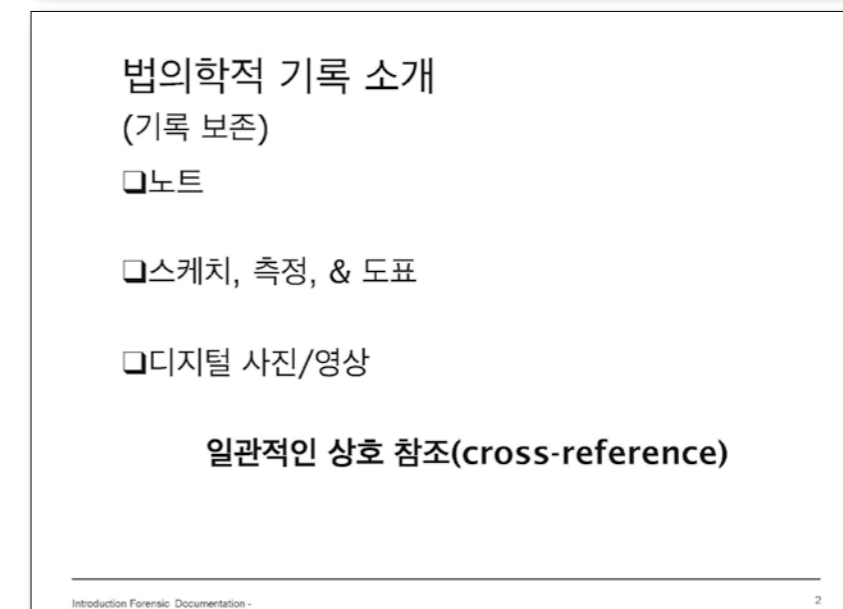
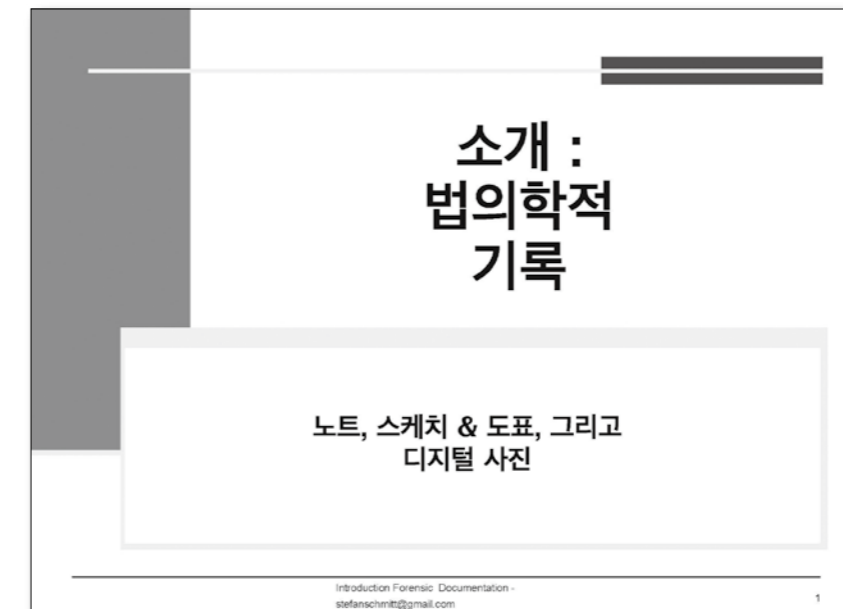
Former Director of the International Forensic Program, Physicians for Human Rights (PHR)



소개:법의학적 기록

스테판 슈미트

인권을위한의사회(PHR) 전 국제법과학프로그램 디렉터



Notes

- Note taking:
 - Case # or unique identifier
 - Handwritten
 - Date
 - Time
 - Signature or initials
 - Page #

CASE EXAMPLE

Sketches, Measurements, Diagrams

- Sketch
 - Case # / Identifier
 - Date & time
 - Initials/Signature
 - North Arrow
 - 'Not to Scale'
 - Index of items sketched - Photo Markers
 - Measurements

Case Example

노트

- 노트에 포함되는 것:
 - 사건 # 혹은 유일한 식별자
 - 수기
 - 날짜
 - 시간
 - 서명 혹은 이니셜
 - 쪽수 #

사건 예시

스케치, 측정, 도표

- 스케치
 - 사건 # / 식별자
 - 날짜 & 시간
 - 이니셜/사인
 - 나침반
 - '일정 비율이 아닌'
 - 스케치한 품목의 색인 - 사진 표시
 - 측정

사건 예시

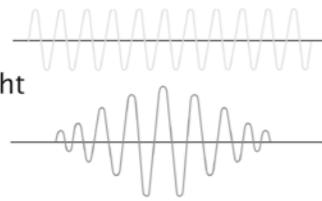
DIGITAL IMAGES & PHOTOGRAPHY

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Analog vs. Digital Images

- Analog Images:
 - Nature represents information in analog values
 - Amplitude and frequency
 - Analog values are continuous
 - E.g.: Negative film
 - records wavelengths of light



Analog vs. Digital Images

- Digital Images
 - Information is recorded and processed in computers as electronic pulses
 - Binary Numbering System
 - 1's and 0's - 'ON' or 'OFF'
 - Analog Information has to be **digitized** to be processed by a computer

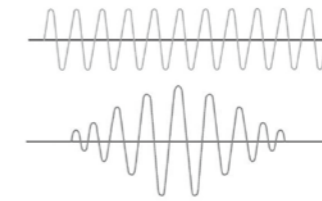
디지털 이미지 & 사진

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아날로그 vs. 디지털 이미지

- 아날로그 이미지 :
 - 자연은 아날로그적 가치 정보를 나타낸다
 - 진폭과 빈도
 - 아날로그적 가치는 연속적이다
 - 예시 : 네거티브 필름
 - 빛의 파장을 기록



아날로그 vs. 디지털 이미지

- 디지털 이미지
 - 정보는 전자 파동으로 컴퓨터를 통해 기록되고 가공된다
 - 이진법
 - 1 과 0 - 'ON' or 'OFF'
 - 아날로그 정보가 컴퓨터로 가공되기 위해서는 **디지털화**되어야만 한다

1 Bit Images - Black and White

- 1 Bit: Each pixel is assigned a pixel value of either '1' or '0'

Enlargement

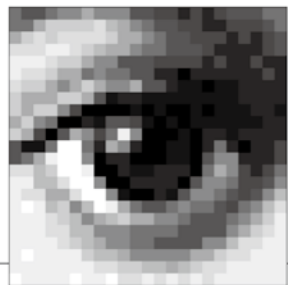
1 비트 이미지 - 흑백 이미지

- 1 비트 : 각 픽셀은 1 혹은 0의 가치가 부여된다

Enlargement

Grayscale Images

- Example: Photoshop Icon



Each # represents a level of brightness, expressed here as a decimal

```
115 62 62 115 140 140 173 140 140 140 62 62 66 66 33 66 33 66 62 62 115 115
115 115 173 206 206 206 206 206 206 206 173 140 115 62 62 66 66 33 66 66 62 115
173 206 222 206 222 222 222 222 206 173 173 140 115 62 62 66 66 33 66 33 66 62
222 222 222 239 239 222 206 189 173 173 140 115 62 62 66 66 33 33 33 66 62
239 239 239 222 206 206 173 140 140 62 62 66 66 66 66 33 66 33 66 33 33
239 222 222 206 173 173 115 140 115 62 62 62 33 33 0 33 33 33 33 66 33
222 206 206 173 140 173 206 173 140 140 173 62 62 33 33 0 18 18 33 33 33
206 173 173 173 206 206 173 62 18 33 33 18 18 18 18 18 18 33 33 33 33
206 173 206 206 140 66 0 0 0 18 0 18 0 18 0 18 18 18 33 33 33 18
173 206 140 115 0 0 33 18 62 62 66 18 0 18 0 18 18 18 18 18 33 33
206 173 66 0 62 173 140 66 115 239 140 0 0 0 18 0 33 33 18 33 33 33
62 18 18 115 239 239 115 33 173 140 33 0 0 18 18 0 33 115 33 0 33 33 66
62 115 173 239 239 140 0 33 33 0 0 18 18 0 62 140 140 33 33 33 66
222 222 189 239 239 239 0 0 0 33 18 18 33 33 0 115 173 140 66 33 66 115
239 239 189 189 222 239 239 140 0 0 33 33 33 33 0 62 140 140 115 66 62 140
239 222 222 173 173 222 239 239 140 18 0 0 33 18 62 140 140 115 62 66 62 140 189
239 239 189 206 140 189 239 239 173 115 62 62 115 140 115 115 62 66 115 140 189 222
239 239 239 222 206 189 140 173 189 206 173 173 140 115 62 62 62 115 140 173 206 239
239 239 239 222 189 189 140 140 115 115 115 62 62 62 62 140 173 206 222 239
239 239 239 222 206 189 173 140 140 115 115 62 62 62 62 140 189 222 222 239 239
239 239 239 239 239 206 189 189 173 140 140 140 140 173 173 206 222 222 239 239 239
239 239 239 239 239 239 222 222 206 206 189 173 189 206 222 222 239 239 239 239
239 239 239 239 239 239 239 239 222 222 239 239 239 239 239 239 239 239 239 239
```

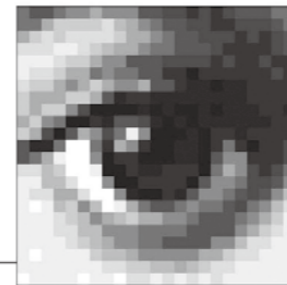
To find the corresponding bit, use the following formula:

Color

...or Grayscale?

그레이스케일(흑백으로 출력된) 이미지

- 예시: 포토샵 아이콘



각 #은 이 곳에선 심전법의 밝기 단계로 표현된다

```
115 62 62 115 140 140 173 140 140 140 62 62 66 66 33 66 33 66 62 62 115 115
115 115 173 206 206 206 206 206 206 206 173 140 115 62 62 66 66 33 66 66 62 115
173 206 222 206 222 222 222 222 206 173 173 140 115 62 62 66 66 33 66 33 66 62
222 222 222 239 239 222 206 189 173 173 140 115 62 62 66 66 33 33 33 66 62
239 239 239 222 206 206 173 140 140 62 62 66 66 66 66 33 66 33 66 33 33
239 222 222 206 173 173 115 140 115 62 62 62 33 33 0 33 33 33 33 66 33
222 206 206 173 140 173 206 173 140 140 173 62 62 33 33 0 18 18 33 33 33
206 173 173 173 206 206 173 62 18 33 33 18 18 18 18 18 18 33 33 33 33
206 173 206 206 140 66 0 0 0 18 0 18 0 18 0 18 18 18 33 33 33 18
173 206 140 115 0 0 33 18 62 62 66 18 0 18 0 18 18 18 18 18 33 33
206 173 66 0 62 173 140 66 115 239 140 0 0 0 18 0 33 33 18 33 33 33
62 18 18 115 239 239 115 33 173 140 33 0 0 18 18 0 33 115 33 0 33 33 66
62 115 173 239 239 140 0 33 33 0 0 18 18 0 62 140 140 33 33 33 66
222 222 189 239 239 239 0 0 0 33 18 18 33 33 0 115 173 140 66 33 66 115
239 239 189 189 222 239 239 140 0 0 33 33 33 33 0 62 140 140 115 66 62 140
239 222 222 173 173 222 239 239 140 18 0 0 33 18 62 140 140 115 62 66 62 140 189
239 239 189 206 140 189 239 239 173 115 62 62 115 140 115 115 62 66 115 140 189 222
239 239 239 222 206 189 140 173 189 206 173 173 140 115 62 62 62 115 140 173 206 239
239 239 239 222 189 189 140 140 115 115 115 62 62 62 62 140 173 206 222 239
239 239 239 222 206 189 173 140 140 115 115 62 62 62 62 140 189 222 222 239 239
239 239 239 239 239 206 189 189 173 140 140 140 140 173 173 206 222 222 239 239 239
239 239 239 239 239 239 222 222 206 206 189 173 189 206 222 222 239 239 239 239
239 239 239 239 239 239 239 239 222 222 239 239 239 239 239 239 239 239 239 239
```

다자점 용어는 이 문헌에서 사용된 용어와 다를 수 있다

컬러

...혹은 그레이스케일?

Color!

- James Clerk Maxwell (1831 - 1879)
- 1861 – Color Photo demonstration
- Color Theory of Red, Green, and Blue as primary colors.
- Distinguishes:
 - Hue (wavelength)
 - Tint (saturation)
 - Shade (brightness)



컬러!

- 제임스 클러크 맥스웰 (1831 - 1879)
- 1861 – 컬러 사진 입증
- 주된 색깔로서의 빨강, 초록, 파랑의 컬러 이론
- 구별:
 - 빛깔 (파장)
 - 색조 (포화도)
 - 음영 (밝기)



Color Photography



- Dr. Adolf Miethe – 1906
whom Prokudin had met in
Berlin, Germany



- Kromskop system by
Dr. Frederic Ives
Ives Manufactory
Philadelphia, Pennsylvania
1895

컬러 사진



- 아돌프 미테 박사 - 1906년 프로쿠
딘이 독일 베를린에서 만난 사람



- 프레데릭 이베스 박사의
크롬스코프 시스템
Ives Manufactory
Philadelphia, Pennsylvania
1895

Black and White? – RGB?



- Use of a single glass plate 9' x 3'
with emulsion
- 3 Photographs taken:
 - One image through Red filter
 - One image through Green filter
 - One image through Blue filter
- Each image was then projected
through it's respective filter and
superimposed – Voilá: Color!

흑백? – 빨초파?



- 유화액칠된 9' x 3' 규격의 단일 유리 판을 사
용
- 3장의 사진을 촬영:
 - 빨강 필터로 촬영
 - 초록 필터로 촬영
 - 파랑 필터로 촬영
- 각 이미지는 각 필터로 투영되고 겹쳐졌다 - 짜
잔 : 컬러!

R-G-B: The digital way



- Grayscale 8 bit scan of glass slides
- Separation into:
 - Blue layer
 - Green layer
 - Red layer

- 유리 슬라이드의 8비트 그레이스케일 스캔
- 이하로 분리됨:
 - 파랑 레이어
 - 초록 레이어
 - 빨강 레이어

R-G-B: The digital way



- Alignment and Superimposition of grayscale Red layer, Green layer, and Blue layer:



빨-초-파: 디지털 방법



- 흑백으로 출력된 빨강 레이어, 초록 레이어, 파랑 레이어의 배열과 합성:



R-G-B: The digital way

- Manipulation of:
 - Hue
 - Saturation
 - Brightness

Courtesy of Library of Congress: <http://www.loc.gov/exhibits/empire/>

빨-초-파: 디지털 방법

- 교묘한 처리:
 - 빛깔
 - 포화도
 - 밝기

Courtesy of Library of Congress: <http://www.loc.gov/exhibits/empire/>

Digital Image Resolution

- ❑ Nikon D800 Resolution:
 - ❑ 7,360 × 4,912 (36.3 effective megapixels)

- ❑ iPhone 6 Camera:
 - ❑ 3264x2448 (8 effective megapixels)

- ❑ HD Video:
 - ❑ 1,920 × 1080 (2.07 effective megapixels)

디지털 이미지 해상도

- ❑ Nikon D800 해상도:
 - ❑ 7,360 × 4,912 (실질 3,630만 화소)

- ❑ iPhone 6 Camera:
 - ❑ 3264x2448 (실질 800만 화소)

- ❑ HD Video:
 - ❑ 1,920 × 1080 (실질 207만 화소)

Nikon D1 - Digital Image Resolution
2,000 × 1,312 (2.7 megapixel)

Nikon D1 - 디지털 이미지 해상도
2,000 × 1,312 (270만 화소)

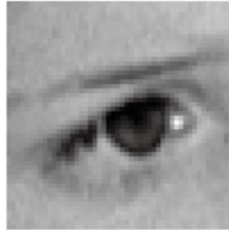
35mm Negative Film

35mm 네거티브 필름

Compression – jpg

(Data Loss)

- ❑ Lossless Image Capture:
 - ❑ .TIFF - GOOD!
 - ❑ .RAW - GOOD!
 - ❑ proprietary formats
- ❑ Compressed Image Capture:
 - ❑ JPEG
 - ❑ smaller files
 - ❑ artifacts
 - ❑ lossy - cumulative!

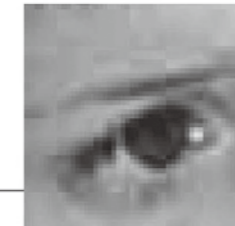
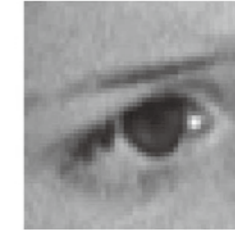


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압축 – jpg (데이터 손실)

- ❑ 손실이 없는 이미지 캡처 :
 - ❑ .TIFF - 양호!
 - ❑ .RAW - 양호!
 - ❑ 소유주의 형식
- ❑ 압축된 이미지 캡처:
 - ❑ JPEG
 - ❑ 더 작은 파일들
 - ❑ 인위적
 - ❑ 손실 - 누적됨!



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Video

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영상

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Frame Capture of Video

- ❑ 320 x 240 pixels:



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영상 장면 캡처

- ❑ 320 x 240 픽셀:



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Frame Capture of Video

- 320 x 240 pixels:

영상 장면 캡처

- 320 x 240 픽셀:

Forensic Photography

(Labeling)

- Identification of items of evidence
 - Call attention to a particular object
 - Can show relative size of the object
- Cross-referenced in:
 - Notes
 - Sketch

법의학적 사진 (라벨링)

- 증거 항목 식별
 - 특정 대상에 대한 주의 환기
 - 대상의 크기를 비교할 수 있음
- 상호 참조:
 - 노트
 - 스케치

Forensic Photography

(Types of Photographs)

- Location overalls
- Medium range: evidence relationships
- Medium range: evidence labeled
- Close-ups: full frame evidence relationship
- Close-ups: full frame evidence labeled
- Close-ups: evidence for comparisons

법의학적 사진

(사진의 종류)

- 장소 오버롤
- 중간 범위: 증거 관계
- 중간 범위: 라벨화된 증거
- 근접촬영: 풀 프레임 증거 관계
- 근접촬영: 라벨화된 증거 풀 프레임
- 근접촬영: 비교를 위한 증거

Forensic Photography

(Overalls)

- Depiction of a 3-dimensional space in a 2-dimensional photograph:
 - Overalls to establish a spatial relationship
 - Overalls need to be taken from at least three separate positions
 - Overlap to establish a spatial relationship from one photograph to the next

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Forensic Photography

(Intermediate)

- Intermediate Range:
 - Individual photographs of pieces of evidence.
 - Identifiable depiction through photographs
 - Identification: INCLUDE PHOTOMARKERS
 - Dimensions: INCLUDE A SCALE!

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Forensic Photography

(Close-up)

- Close-up photographs of evidence:
 - Full frame photographs of evidence
 - Include identifying marker
 - Include **SCALE**

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법의학적 사진(오버랩)

□ 2차원 사진에서의 3차원 공간 묘사

- 공간 관계를 정립하기 위한 오버랩
- 오버랩은 최소한 분리된 세 위치에서 촬영되어야 함
- 한 사진에서 다른 사진으로 공간 관계를 정립하기 위한 오버랩(겹침)

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법의학적 사진 (중간의)

□ 중간 범위:

- 증거 조각의 각 사진별.
- 사진을 통한 식별가능한 묘사.
- 식별 : 포토마커를 포함하라.
- Dimension(차원): 축척(축소/확대 비율)을 포함하라!

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법의학적 사진 (근접 촬영)

□ 근접 촬영 증거 사진:

- 풀 프레임 증거 사진
- 식별 마커를 포함하라
- 축척(축소/확대 비율)을 포함하라

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Forensic Photography (Photos vs. Video)

- ❑ Photography:
 - ❑ allows for parallel comparison between photographs
 - ❑ Higher resolution than video
 - ❑ Static
 - ❑ Has embedded information (Metadata)
- ❑ Video:
 - ❑ linear
 - ❑ restricts viewer to following the camera operator's view
 - ❑ Lower resolution
 - ❑ Viewer bias of a moving image

CASE EXAMPLE

CASE EXAMPLE

- ❑ Istanbul Protocol Diagrams

법의학적 사진 (사진 vs. 영상)

- ❑ 사진:
 - ❑ 사진들 간 병행 비교를 가능케 함.
 - ❑ 영상보다 높은 해상도.
 - ❑ 고정됨.
 - ❑ 정보를 내포하고 있음(메타데이터 : 작성자·목적·저장 장소 등 속성에 관한 데이터).
- ❑ 영상:
 - ❑ 1차원적.
 - ❑ 시청자에게 카메라 조작자의 시선을 따라가도록 제한함.
 - ❑ 낮은 해상도.
 - ❑ 시청자가 갖는 움직이는 이미지에 대한 편견.

케이스 예시

케이스 예시

- ❑ 이스탄불 의정서 도표

Photographs as Evidence

- Digital Image Workflow

How to: Photographs as Evidence

- ❑ Minimize any possibility that photographs are unreliable as a source of documentation and information.
- ❑ Maximize control over handling of photographs.

Reminder: Chain of Custody

- ❑ Authentication of evidence through identification of:
 - ❑ Point of origin
 - ❑ Person collecting/seizing evidence
 - ❑ Time collected
- ❑ Verification through **RECORD KEEPING**:
 - ❑ Standardized procedures
 - ❑ Procedures & Protocols
 - ❑ Credibility through reliable record keeping

증거로서의 사진

- 디지털 이미지 작업의 흐름

방법: 증거로서의 사진

- ❑ 사진들이 문서와 정보로서 신뢰받지 않을만한 어떠한 가능성도 최소화함.
- ❑ 사진 취급 통제를 극대화함.

상기하라: 증거물 보관의 연속성

- ❑ ~의 식별에 관한 증거의 증명:
 - ❑ 기원에 초점
 - ❑ 증거를 수집/압수한 사람
 - ❑ 수집된 시간
- ❑ 기록 보존을 통한 확인:
 - ❑ 표준화된 절차
 - ❑ 절차 & 프로토콜
 - ❑ 믿음만한 기록 보존에 관한 신뢰도

Three Steps of Photo Chain of Custody

- Step #1: The Photolog
- Step #2: Digital image transfer from the camera to the media.
- Step #3: Storage
Documents each step in your notes
CROSSREFERENCE!!!

Step #1: The Photolog

- Photographer
- Camera and Lens
 - Generally camera setup & setup per photograph
- Memory Chip Used
 - Unique Memory Chip Designator
- Image/File Name
 - Sequential File Numbering
- Image/File Date & Time
 - GMT recommended
- Location Taken
 - GPS coordinates at position photograph was taken
- Description of what is depicted
 - Cross-referenced to notes & sketch
 - (Direction photograph was taken in)
- Exif Information

Step 2: The Photolog - EXIF

- Exif: Exchangeable image file format for storing metadata about filename, etc. of cameras.
- BF's Exif Extractor - software to extract Exif information from images/ photographs

증거물 보관의 연속성 3가지 단계

- 단계 #1: 포토로그(포토블로그)
- 단계 #2: 디지털 이미지를 카메라에서 매체로 변환.
- 단계 #3: 보관
노트에 있는 모든 단계를 문서화하라
상호참조!!!

단계 #1: 포토로그

- 사진사
- 카메라와 렌즈
 - 일반적으로 카메라 구성 & 각 사진별 구성
- 사용된 메모리 칩
 - 유일한 메모리 칩 지정인
- 이미지/파일 이름
 - 순차적인 파일 넘버링
- 이미지/파일 날짜 & 시간
 - GMT(그리니치 표준시) 권장
- 찍힌 장소
 - GPS는 사진이 찍힌 위치를 조정함
- 무엇이 묘사되었는지 서술
 - 노트 & 스케치의 상호-참조
 - (방향 사진이 찍혔는지)
- Exif(교환 이미지 파일 형식) 정보

단계 2: 포토로그 - EXIF

- Exif: 카메라의 파일 이름에 관하여 메타데이터를 저장하기 위한 교환 이미지 파일 형식.
- BF의 Exif 추출 장치 - 이미지/사진으로부터 EXIF 정보를 추출하는 소프트웨어.

Step #2: Digital Image Transfer

- ❑ Camera CCD transfers to Memory Chip Internally.
 - ❑ Memory Chip to DVD/CD-ROM
 - ❑ Direct stand-alone DVD/CD-ROM Burner.
- ❑ Digital Images on DVD are referred to as the “Master Archive”
- ❑ Document in your notes!

Photographs as Evidence

- ❑ Evidence Log
 - ❑ Separate log sheet
 - ❑ Cross-referenced in your notes
- ❑ Evidence Transfer Form
 - ❑ Document through receipts who was & is in control of the evidence.

Other:

- ❑ Torture Victim Documentation
 - ❑ Case Example & Discussion

단계 #2: 디지털 이미지 변환

- ❑ CCD 카메라는 내부 메모리 칩으로 변환함.
 - ❑ 메모리 칩에서 DVD/CD-ROM으로.
 - ❑ 직접 독립형의 DVD/CD-ROM 버너.
- ❑ DVD의 디지털 이미지들은 “마스터 아카이브”로 불린다.
- ❑ 노트에 기록하라!

증거로서의 사진

- ❑ 증거 일지
 - ❑ 일지의 시트(sheet)를 구분하라
 - ❑ 노트를 상호-참조하라
- ❑ 증거 변환 형식
 - ❑ 증거 통제를 누가 했고 & 하는지에 대하여 ‘영수증’을 기록하라.

이외:

- ❑ 고문 희생자 기록
 - ❑ 사건 예시 & 토의

Asia-Based Documentation Hub

아시아 인권조사기록 허브

Transitional Justice Working Group
 전환기정의위킹그룹

TJWG 2017 CONFERENCE

TJWG PRESENTS:

ASIA-BASED DOCUMENTATION HUB

아시아 인권조사기록 허브

TRANSITIONAL JUSTICE WORKING GROUP | 전환기정의위킹그룹

TJWG 2017 CONFERENCE

WHAT IS IT?

A knowledge-sharing, capacity-building platform for human rights documentation organizations around the world
 세계 각지의 인권조사기록 단체들과 전문가들 간 지식공유의 플랫폼

TRANSITIONAL JUSTICE WORKING GROUP | 전환기정의위킹그룹

TJWG 2017 CONFERENCE

TJWG
 =
FACILITATOR AND SECRETARIAT
 조력자인 동시에 사무국의 역할

TRANSITIONAL JUSTICE WORKING GROUP | 전환기정의위킹그룹

TJWG 2017 CONFERENCE

A CASE FOR THE HUB 허브의 필요성:

OBJECTIVES OF HUMAN RIGHTS DOCUMENTATION
 인권조사기록과 증거수집의 목표

- Preparation for a transition 분쟁 사회의 전환기 대비
- Legal proceedings 국내외적 소송절차
- Other accountability processes 소송 외 다른 책임 소재
- Truth-seeking and memorialization projects 진실 추구와 추모 프로젝트
- Victim recognition and engagement 피해자에 대한 인식과 관여

2017 TJWG CONFERENCE

A CASE FOR THE HUB:

The Hub will provide **COMPLEMENTARITY** between organisations globally that have the potential to **FILL GAPS** in the needs of other organizations
 단체들 간 '상호 보완적' 교류 추구



WHY US? 왜 TJWG이어야 하는가?
WHY SEOUL? 왜 서울이어야 하는가?

REACH OUT

- A desire to extend our activities beyond Korea, as well as to bring best practices from outside back to Korea. 우리의 활동 영역을 한국을 넘어 확장시키고자 하는 열망과 더불어 최고 수준의 활동을 한국에 유치하고자 함.

SECURITY

- South Korea offers a measure of digital and physical security, high-level internet connectivity and efficient communication tools. 한국은 물리적·디지털 차원의 보안을 제공할 뿐만 아니라 높은 인터넷 접근성 및 효율적 커뮤니케이션 툴을 제공함.

FUNDING

- Opportunities for various sources of funding to support the initiative.
- 이니셔티브를 위한 다양한 펀딩 원천을 제공함.

MISSION 미션:

To equip human rights documenters and their organisations by working as a bridge for knowledge-sharing and capacity-building to empower member organisations to achieve their strategic goals.

지식 공유와 역량 강화의 장으로써 인권조사기록가들과 그들의 단체의 능력을 배양하고 협력 단체들에게 권한을 부여하여 전략적 목표를 달성하도록 함.

OBJECTIVES 목표

1. COMMUNICATIONS 커뮤니케이션

2. PARTNERSHIPS 파트너십

3. CAPACITY-BUILDING 역량 강화

1. COMMUNICATIONS 커뮤니케이션

MEMBER HIGHLIGHT

A bi-monthly email communication that features a detailed case study of ongoing human rights documentation work by a member organisation, or a profile of a relevant specialist in the field. 협력 단체들에 의해 진행중인 인권조사기록과 그 분야의 관련 전문가의 프로파일에 대한 자세한 사례 연구를 두 달에 한번 이메일로 소통

ACTIVITIES

Information about events held by member organisations or related umbrella organisations that may be of interest. 협력 단체들과 관심있는 관련 통솔 기구에 의해 주최된 행사에 대한 정보

NEW FUNDING/PROJECTS

Information about funding opportunities or requests for partnership or collaboration among member organisations. 펀딩 기회와 협력 단체들 간 파트너십 혹은 협력 요청에 대한 정보

2. PARTNERSHIPS 파트너십

GRANT CONSORTIUM

Partnership/consortium for grant proposals as well as grant recommendations for member organizations. 보조금 지원을 위한 파트너십/협력단 구축 및 협력 단체들에게 펀딩 원천 소개와 자문 제공

JOINT ACADEMIC PROJECTS

Collaborative academic research or publications on relevant themes, with possible representation at thematic conferences. 향후 컨퍼런스를 위한 관련 테마의 합동 학술 연구 결과물과 출판물

ADVOCACY NETWORK

Sourcing opportunities to introduce member organisation work to officials from other countries to share their expertise, increasing advocacy influence. 협력 단체와 공직자들을 소개하여 전문지식 공유와 네트워킹을 확장함으로써 영향력 증대

3. CAPACITY-BUILDING 역량 강화

EVENTS 이벤트

Organising and running events in member organisation countries for local civic groups
지역 시민 단체들을 위한 협력 단체 국가 내 행사 기획

RESOURCES 자료

Production of online/digital resources on human rights documentation methods - translated where possible/necessary into local languages
인권기록조사 방법에 대한 온라인/디지털 소스 생산- 필요로 하는 다른 언어로 번역

JOINT STATEMENT 공동 성명

Issue joint statements that support the proper use or adoption of victim stories in legal processes, or to support the safety of documenters and those they are working with
희생자들의 사례가 법적 절차에 적합하게 사용되도록 지원하는 것과 인권조사기록가들의 신변 안전 보호를 위한 합동 성명 발표

STUDY TRIPS 현장 답사

Study trips to visit the operations of other member organizations 협력 기관들의 현장 방문

HUB INITIATIVE 허브 이니셔티브: IMMEDIATE PLAN 플랜

1. Conference Resource Manual 컨퍼런스 자료 매뉴얼

2. Hub Website 허브 웹사이트

3. Study Trips 현장 답사

4. Release of Joint Statements 공동 성명 발표

CONFERENCE RESOURCE MANUAL 컨퍼런스 자료 매뉴얼



MULTI-TRANSLATION 자료 번역

Produce workshop materials in English and in two languages that have been underserved to date 워크숍 자료의 영문판 발행과 자료의 접근성이 취약한 두 언어를 선정 한 후 각 언어를 대표하는 타 인권조사기록 단체와 협력하여 번역본 발행



CONFERENCE VIDEO 컨퍼런스 비디오

Produce a news-documentary type video of the conference to share its presentations on online platforms 컨퍼런스 발표 내용을 뉴스 다큐멘터리 형식의 영상으로 제작하여 온라인 플랫폼으로 공유

HUB WEBSITE 허브 웹사이트



ACCESSIBLE

Easy to navigate and find relevant materials, reports, and conference proceedings that have practical application to documentation
인권조사기록 단체들이 조사기록 업무에 실질적으로 활용할 수 있는 연관 자료, 보고서, 컨퍼런스 회의자료들을 제공



SECURE

Equipped with a high degree of digital security 높은 수준의 보안 보장

STUDY TRIP 현장 답사

PILOT PROGRAM: 파일럿 프로그램:

Organize and lead a study and training trip, pairing an experienced documentation group with an emerging group in need of guidance and practical training
인권기록조사에 능숙한 단체와 신생 단체들을 이어주는 연수 프로그램을 기획

A week-long training program in Cambodia hosted by DC-Cam
DC-Cam 주최의 일주일 동안 진행되는 훈련 프로그램 기획 (캄보디아)



RELEASE OF JOINT STATEMENTS 공동 성명 발표



As a sign of solidarity and collaboration toward the shared goals and values of the documentation hub, we will release a joint statement conveying our support for groups facing political danger in their work
인권조사기록 허브의 공동 목표와 가치를 위한 강한 연대와 협력의 상징으로 공동 성명을 발표하여 정치적 위협에 직면한 단체들에 대한 지지 입장 표명

AJAR INTRODUCTION 소개

DODI YUNIAR
도디 유니아



KEY QUESTIONS 설문

1. What kind of activities would be useful for your organisation?
귀하의 단체에게 어떤 종류의 활동이 유용하겠습니까?
2. What kind of communication methods would be useful for you (email regularity and contents)? 귀하는 어떤 종류의 커뮤니케이션 방식이 유용합니까? (이메일 빈도와 콘텐츠)
3. What would facilitate your participation and engagement with the hub?
허브에 대한 귀하의 참여도와 관여도를 높일 수 있는 촉진제는 무엇입니까?
4. What would you foresee as challenges to the effectiveness or usefulness of the hub, and how can we avoid them?
허브의 한계는 무엇이라고 생각합니까? 해결 방안은 무엇이라고 생각합니까?
5. Would you be interested and willing to be interviewed by us for an in-depth article on your work to be shared with hub members?
귀하의 업무분야에 대해 심층적으로 다루는 허브 멤버용 인터뷰에 응하실 의향이 있으십니까?

ASIA-BASED DOCUMENTATION HUB

THANK YOU!
감사합니다.

