

Legal Studies 125
Human Rights and War Crimes Investigations: Methods
4 Units - Fall 2021
T & TH Time 09.30-11.00 am
Class: Social Science Building (Rm#60)

Introduction

This course offers an introduction to the concept and practice of human rights research and investigations, with an emphasis on the collection and analysis of online open source information, such as information derived from social media. In addition to lectures and readings, the course will engage students in the Human Rights Investigations Lab at Berkeley Law's Human Rights Center, an effort that supports the work of Amnesty International, the Syrian Archive, and a number of other organizations that are working to bring awareness to and collect evidence in support of international atrocity cases, including human rights law firms and international commissions of inquiry. In the seminar and affiliated lab, students will learn how to safely collect and verify information on war crimes and human rights abuses and will have an opportunity to engage in one or more real-world investigations.

Course Instructor:

Alexa Koenig, PhD, JD
Lecturer-in-Residence, Investigations Lab Co-Founder
Executive Director, Human Rights Center, School of Law
Email: kalexakm@berkeley.edu
Office hours: Tuesdays 3:00-4:30, 2224 Piedmont Ave. #34, or by appointment via [Zoom](#)

Investigation Lab Assignments:

Stephanie Croft
Investigations Lab Director
Human Rights Center, School of Law
Email: s.croft@berkeley.edu
Office hours by appointment: Wednesday 1-2 pm (Zoom) and Thursday 1-2 pm (Zoom, or in-person). *Please book in advance using my [Calendly](#)*

Safa Faki

Graduate Student Researcher, Human Rights Center, School of Law
Group Projects & Assignment Office hours: Thursday 11.30am-1:30, 2224 Piedmont Ave.
Email: safa.f@berkeley.edu

Brian Nguyen

Graduate Student Researcher, Human Rights Center, School of Law
Email: bhnguyen93@berkeley.edu

With support from:

Professor Eric Stover, Andrea Lampros, and Lindsay Freeman

Requirements:

NB: Before commencing the assignments, please ensure you refer to any examples, templates or instructions uploaded to the respective assignment portal on bCourses.

A. Individual Participation (25% of grade)

Individual Participation includes a contribution to the round-robin conducted at the beginning of each class and class attendance. Each student will be called upon at least once to contribute to the round-robin, so please ensure you read the reading *before* class.¹

B. Individual journal submission (15% of grade)

Deadline for submission via bCourses: **Friday, November 19th at 11.59pm (PT)**

C. Individual Digital Landscape Assessment (25% of grade)

Deadline for submission via bCourses: **Friday, November 19th at 11.59pm (PT)**

D. Group Project, including a written report and presentation

Deadline for submission via bCourses: **Friday, December 3rd at 11.59pm (PT)**

a. Verification Report (25% of grade)

The purpose of the group project is to put into practice the hands-on skills you have acquired throughout the entire course, including engaging with the topics of ethics, digital security, and resiliency. Last year, the partners for the group project attended student presentations and acknowledged student contributions in their reports (See [Yemen Archive](#)). Project outputs will vary depending on the research needs of the partner organization and a template will be provided.

b. Group Presentation (10% of grade)

The purpose of the group presentation is to practise presenting your work in a professional and engaging manner. Speaking time should be evenly split between participants. Evaluation is assessed by the extent to which you incorporate the presentation principles shared during the presentation training in this course into your section of the presentation.

¹ Following UCB recommendations, we will ensure a “tapered start” to assignments and quizzes. Grading will not begin until after September 16th, 2021 and allow student time to settle in.

Readings

All readings other than those in the required textbook will be posted on bCourses or available on the internet (or via the [UC Berkeley Library Catalog](#)). Each seminar has one required reading, which is expected to be completed before class. Prior knowledge of the reading will be relied upon during class discussion and workshops.

Required Textbooks

- Sam Dubberley, Alexa Koenig & Daragh Murray, eds., “Digital Witness: Using Open Source Information for Human Rights Documentation, Advocacy, and Accountability” (University of Oxford Press 2020), available at the UCB Bookstore or as an e-book, used book or new book at <https://www.amazon.com/Digital-Witness-Using-Open-Source/dp/0198836074>
- Berkeley Protocol on Digital Open Source Investigations (Human Rights Center and UN Office of the High Commissioner of Human Rights 2020), available at https://www.ohchr.org/Documents/Publications/OHCHR_BerkeleyProtocol.pdf

Recommended Resources:

- Catherine D’Ignazio & Lauren F. Klein, “Data Feminism” (MIT Press 2020)
- Allissa V. Richardson, “Bearing Witness While Black: African Americans, Smartphones and the New Protest #Journalism” (Oxford University Press 2020)
- Cindy L. Otis, “True or False: A CIA Analyst’s Guide to Spotting Fake News” (Feiwal & Friends 2020)
- Maria Nystedt, Christian Axboe Nielsen and Jann K. Kleffner, “A Handbook on Assisting International Criminal Investigations” (Folke Bernadette Academy 2011)
- Craig Silverman, ed., “Verification Handbook: A Definitive Guide to Verifying Digital Content for Emergency Coverage,” available at <http://verificationhandbook.com>
- Michael Bazzell, *Open Source Intelligence Techniques: Resources for Searching and Analyzing Online Information*
- Reed, Kristin, and Ausra Pads kocimaite. "The right toolkit: Applying research methods in the service of human rights." (2012), available at <https://www.law.berkeley.edu/wp-content/uploads/2015/04/The-Right-Toolkit.pdf>
- Eric Stover, Victor Peskin & Alexa Koenig, “Hiding in Plain Sight: The Pursuit of War Criminals from Nuremberg to the War on Terror” (University of California Press 2016)

Grading/Evaluation

Please see the requirements above. Your final grade in the course will reflect both the quality and timeliness of all assignments, as well as class attendance and participation. Unexcused absences will be considered during the grading process. Based on campus rules, four units of credit equates to 12 hours of work—including class time—each week. In addition to class time, you will be expected to spend several hours each week working in your research team once you are assigned to a team mid-semester.

Learning Outcomes

By the end of *Human Rights and War Crimes Investigations: Methods*, students will be able to:

- Construct a research and investigations plan, which includes a digital landscape assessment, a clear and relevant research question, a description of open source research methods that can be used to answer that question, and an assessment of ethical issues raised by the research question and proposed research methods;
- Understand the usefulness and application of a diverse set of research methodologies, including reverse image search, geolocation, source analysis, and documentation;
- Identify major ethical challenges that arise in digital human rights research and investigations;
- Use a diverse set of open source research tools, including but not limited to InVid, Google Earth Pro, and Tweetdeck, and perform well constructed online searches on Google, Facebook and Twitter; and
- Assess digital and psychosocial threats and implement mitigating measures for conducting online investigations.

Low-Technology Policy

We encourage you to take notes with pen and paper. Research confirms that this helps you retain more information from the class. The use of laptops, phones or other devices will not be permitted when guest speakers are in attendance. Accessing the internet during class—except for activities related to LS125—is prohibited and will be enforced. If this request is regularly disregarded we may enforce a class-wide no-technology policy.

Course Schedule

While we anticipate adhering closely to the following schedule, some sessions might be moved around depending on the availability of particular guest speakers. We will be sure to notify the class of any changes over bCourses. We may also offer optional training sessions and may also add some additional readings as the course progresses. If those readings are required, we will be sure to give students at least one week's notice.

Academic accommodations, supportive measures, and campus resources

Classroom Climate

We are all responsible for creating a learning environment that is welcoming, inclusive, equitable, and respectful. If you feel that these expectations are not being met, you can consult your instructor(s) or seek assistance from campus resources (see the [Academic Accommodations website](#)).

Accommodations and supportive measures

The purpose of academic accommodations is to ensure that all students have a fair chance at academic success. Disability, or hardships such as basic needs insecurity, uncertain documentation and immigration status, medical and mental health concerns, pregnancy and parenting, significant familial distress, and experiencing sexual violence or harassment, can affect a student's ability to satisfy particular course requirements. Students have the right to reasonable academic accommodations, without having to disclose personal information to instructors.

For more information about accommodations, scheduling conflicts related to religious creed or extracurricular activities, please see the Academic Accommodations hub: <https://evcp.berkeley.edu/programs-resources/academic-accommodations-hub#accommodations>
This website also provides a range of helpful campus resources.

NB: Please see the course instructor as soon as possible if you need particular accommodations, and we will work out the necessary arrangements.

**LS125 Human Rights and War Crimes Investigations
Summary of Classes**

| | DATE | TOPIC | INSTRUCTOR |
|----|--------------------|---|--|
| 1 | Thu, Aug 26 | Introduction to the Course | Koenig + Croft |
| 2 | Tue, Aug 31 | Foundations: Introduction to Investigations | Eric Stover |
| 3 | Thu, Sept 2 | Investigation Principles and Planning | Lindsay Freeman |
| 4 | Tue, Sept 7 | Online Search I | Andrea Lampros |
| 5 | Thu, Sept 9 | Digital Security | Steve Trush |
| 6 | Tue, Sept 14 | Online Search II | Stephanie Croft |
| 7 | Thu, Sept 16 | Collection and Preservation | Brian Nguyen |
| 8 | Tue, Sept 21 | Verification | Alexa Koenig |
| 9 | Thu, Sept 23 | Workshop I: Verification Skills | Alexa Koenig |
| 10 | Tue, Sept 28 | Geolocation | Mitch Paquette |
| 11 | Thu, Sep 30 | Geolocation Workshop | Stephanie Croft |
| 12 | Tue, Oct 5 | Workshop II: Introduction to Group Project | Stephanie Croft & Safa Faki |
| 13 | Thu, Oct 7 | Ethics | Alexa Koenig |
| 14 | Tue, Oct 12 | Resiliency | Andrea Lampros |
| 15 | Thu, Oct 14 | Visual Investigations at the NY Times | Guest Speaker |
| 16 | Tue, Oct 19 | Workshop III: Group Verification Project | Stephanie Croft & Safa Faki |
| 17 | Thu, Oct 21 | Legal Considerations ² | Lindsay Freeman |
| 18 | Tue, Oct 26 | Workshop IV: Group Project | Stephanie Croft & Safa Faki |
| 19 | Thu, Oct 28 | Flight/ Vessel Tracking | Stephanie Croft |
| 20 | Tue, Nov 2 | Writing Skills Workshop ³ | Alexa Koenig |
| 21 | Thu, Nov 4 | Guest Speaker: Professional investigations | Staci Dresher |
| 22 | Tue, Nov 9 | Assignment Questions | Alexa Koenig |
| 23 | Thu, Nov 11 | VETERANS DAY | N/A |
| 24 | Tue, Nov 16 | Guest Speaker: Arms-trafficking | Kathi Austin |
| 25 | Thu, Nov 18 | Panel Event: Professional Development | Guest Speakers |
| | Fri, Nov 19 | Individual Digital Landscape Assignment Individual Journal Submission Assignment | Deadline: 11.59pm (PT) Deadline: 11.59pm (PT) |
| 26 | Tue, Nov 23 | TBD | |
| 27 | Thu, Nov 25 | THANKSGIVING | |
| 28 | Tue, Nov 30 | Group Presentations | |
| 29 | Thu, Dec 2 | Group Presentations | |
| | Fri, Dec 3 | Group Verification Report Due 11.95pm (PT) | |

² Assignment Q&A: Digital Landscape Assignment

³ Assignment Q&A: Journal Submission Assignment

CLASS OVERVIEW WITH READINGS

#1-Thursday, August 26

Introduction to the Course

Instructor: Alexa Koenig, Stephanie Croft

Required Reading:

- Course syllabus

#2-Tuesday, August 31

Introduction to Investigations

Instructor: Professor Eric Stover

Required Reading:

- Christoph Koettl, Daragh Murray & Sam Dubberley, “Open-Source Investigation for Human Rights Reporting: A Brief History,” in Digital Witness. P. 12-32

#3-Thursday, September 2

Online Investigation Principles and Planning

Instructor: Lindsay Freeman

Required Reading:

- Lindsay Freeman, “Prosecuting Grave International Crimes Using Open Source Evidence,” in Digital Witness. P. 331-341

#4-Tuesday, September 7

Online Search I

Instructor: Andrea Lampros

Required Reading

- Paul Myers, “How to Conduct Discovery Using Open-Source Methods,” in Digital Witness. P. 107-142

#5-Thursday, September 9

Digital Security

Instructor: Steve Trush + Andrea Lampros

Required Reading

- Joseph Guay and Lisa Rudnick, “Open-Source Investigations: Understanding Digital Threats, Risks, and Harms,” in Digital Witness. P. 292-313

#6-Tuesday, September 14

Online Search II

Instructor: Stephanie Croft

Required Reading

- Charlotte Godart, “The Most Comprehensive TweetDeck Research Guide In Existence”

#7-Thursday, September 16

Collection and Preservation

Instructor: Brian Nguyen

Required Reading:

- Yvonne Ng, “How to Preserve Open Source Information Effectively,” in Digital Witness. P. 143-164

#8-Tuesday, September 21

Verification I

Instructor: Alexa Koenig

Reading:

- Christoph Koettl, “Citizen Media Research and Verification”

#9-Thursday, September 23

Verification II

Instructor: Alexa Koenig

Required Reading:

- Aric Toler from Digital Witness
- Yvonne McDermott, Alexa Koenig, Daragh Murray, “Open Source Information’s Blind Spot: Human and Machine Bias in International Criminal Investigations” [skim]

#10-Tuesday, September 28

Satellite Imagery

Instructor: Stephanie Croft

Required reading:

- Micah Farfour, “The Role and Use of Satellite Imagery for Human Rights Investigations,” in Digital Witness. P. 228-246

#11-Thursday, September 30

Geolocation

Instructor: Stephanie Croft

Required reading:

- Jonathan Drake and Theresa Harris, Geospatial Evidence in International Human Rights Litigation: Technical and Legal Considerations (AAAS 2018)

#12- Tuesday, October 5

Workshop II: Introduction to Group Projects

Instructor: Stephanie Croft & Safa Faki

Required Reading:

- Biedermann, Alex, William C. Thompson, Joelle Vuille, and Franco Taroni. “After Uniqueness: The Evolution of Forensic Science Opinion.” *Judicature* 102, no. 1 (2018): 18.

#13-Thursday, October 7

Ethics

Instructor: Alexa Koenig

Required Reading:

- Zara Rahman, Gabriela Ivens in Digital Witness
- Yvonne McDermott, Daragh Murray, and Alexa Koenig, “Whose Stories Get Told and By Whom? Representativeness in Open Source Human Rights Investigations” [skim]

Recommended:

- Allissa V. Richardson, “Bearing Witness While Black,” chapters 1-2

#14-Tuesday, October 12

Resiliency

Instructor: Andrea Lampros

- Catherine D’Ignazio and Lauren F. Klein, “The Numbers Don’t Speak for Themselves: Consider Context,” in *Data Feminism* (chapter 6)
- Recommended: Catherine D’Ignazio and Lauren F. Klein, “Show Your Work: Make Labor Visible,” in *Data Feminism* (chapter 7)

#15-Thursday, October 14

Investigative Reporting

Instructor: Christoph Koettl (NY Times)

Reading:

- New York Times/Forensic Architecture Lost Graves of Louisiana’s Enslaved People: <https://www.nytimes.com/interactive/2021/06/27/us/louisiana-graves-enslaved-people.html>

#16-Tuesday, October 19

Workshop III: Group Project

Instructor: Stephanie Croft & Safa Faki

Reading: NA

#17-Thursday, October 21

Legal Considerations⁴

Instructor: Lindsay Freeman

Reading:

- Section III (pp 20-30) in Human Rights Center and UN Office of the High Commissioner of Human Rights, Berkeley Protocol on Digital Open Source Investigations

#18-Tuesday, October 26

Writing Skills Workshop

Instructor: Alexa Koenig

Reading: TBD

⁴ Assignment Q&A: Digital Landscape Assignment

#19-Thursday, October 28

Guest Speaker: UN Arms Trafficking

Reading: TBD

#20-Tuesday, November 2

Guest Speaker: Digital Forensics

Reading: TBD

#21-Thursday, November 4

Guest Speaker: Flight and Vessel Tracking

Instructor: Guest Speaker

Reading: TBD

#22-Tuesday, November 9

Workshop IV: Group Project

Instructor: Stephanie Croft & Safa Faki

Reading: NA

#23-Thursday, November 11

Academic Holiday: Veterans Day

#24-Tuesday, November 16

Workshop IV: Final Assignment Questions

Instructor: Stephanie Croft & Safa Faki

Reading: NA

#25-Thursday, November 18

Panel Event Professional Development

Reading: NA

#26-Tuesday, November 23

Community Event or Assignment Q&A

#25-Thursday, November 25

Academic Holiday: Thanksgiving Break

#28-Tuesday, November 30

Student Presentations

Student presentation slides are due midnight the night before class.

#29-Thursday, December 2

Student Presentations and End-of Semester Wrap-Up

Student presentation slides are due midnight the night before class.

Friday, December 4

Written assignments for the course are due by 11:59pm Pacific time.