Testimony Guidelines
Guideline to collect testimonies on illegal pushbacks and police violence

Border Violence Monitoring is a joint project of various NGOs and individuals that has been documenting pushbacks and police violence along the EU’s external borders in the Balkan region since December 2017. In order to bring this issue to the public’s attention, and to exert pressure on the responsible institutions, a common and public database for these incidents has been created at www.borderviolence.eu. We attempt to compile as many case reports as possible, collected by different actors, under a single roof in order to comprehensively provide documentation for these issues. Typically, independent volunteers are part of, or cooperate with, humanitarian support groups active within the field and are involved for a longer period of time. The everyday contact and trust that volunteers maintain with people on the move affected by border violence is crucial utility with which these reports rely on. There are many ways to conduct and collect these reports. Nonetheless, in order to provide consistency, we believe that it is important to have a shared methodology and common set of guidelines in the collection of the reports. In short, our hope is that volunteers on the ground might use these guidelines as a base-point for interviewing individuals affected by push-backs and/or border violence. Please use the report form and take a look at some reports previously published (Amongst many others, this report can provide an solid example). A good report is specific and contains detailed facts and descriptions, but ideally also uses direct quotes which allows the respondent a voice. Please send any questions and reports in written and/or audio form to: mail@borderviolence.eu.
The Report Process

Before the report

Note that push-backs are illegal independent of whether violence is used or not. Reports both about violent and non-violent push-backs are relevant. Avoid giving people the impression that you are looking for the «most extreme» push-back stories, since every push-back experience can be traumatizing and is to be taken seriously, and moreover we should not encourage people to exaggerate what happened to them.

Before conducting a report or a testimony collection, it is usually important to have an off-hand, informal conversation with the respondent(s) in order to put the individual in a comfortable mindset and to make sure they are aware of the aims of the following report. Ensure that the respondent does not have false expectations that the interviews will facilitate: asylum, family reunification, legal transit or other aims that you and the organizations on the ground are not able to assist with.

Trust and comfort

When possible, it is useful to build some sort of rapport, or sense of trust, with the respondent individual(s) before starting on the testimony collection process. Communicating the lived trauma of border violence is an emotional undertaking which almost requires the respondent to unpack emotionally taxing experiences. There is a risk for the respondent to get re-traumatized, and respondents put themselves in a very vulnerable position in front of you. Be aware of this, act responsibly and carefully. If you have the feeling that the respondent seems to be distressed at any point, pause and confirm if they want to continue.

Never push a respondent to do an interview or to disclose a detail if he does not want to. Our task is to collect facts, feelings and experiences. However, always be aware that our first responsibility is for the persons, not for the stories. The people are always more important than the stories.

Wherever possible, conduct the interview in an environment which is as calm and relaxed as the situation can provide. Often, the individuals can talk more freely if there are no smugglers present. Even having friends of the respondent or other volunteers around may alter the substance of testimony. Avoid distractions and interruptions.

Local cafes can be a good location for a report as they provide a place to sit down as well as a certain level of privacy to the respondent. If we, (those who are collecting the reports), can take steps to build comfort and trust within the bounds of the interview process, the subsequent interview will often be a) a less demanding emotional process for the respondent, b) a more candid (and often honest) testimony, and c) somewhat socialize the process of providing testimonies.

The social aspect of the testimony process is an important point to consider as many people-on-the-move have had previous negative experiences with service providers and/or journalists. As independent volunteers we have the opportunity to be more than just strangers collecting details of trauma. Rather, we have the capacity to be familiar faces, willing to listen and process the trauma of our fellow humans. Having said that, we are not therapists and should also know our limits. Consider gender; women on the move might experience sexual abuse (inappropriate body frisk, injuries on intimate body parts, etc.).
If possible, arrange for females to be interviewed by female volunteers to allow comfort of sharing these intimate stories.

**Informed consent**

Informed, oral consent is required in order for these reports to be considered valid and ethical. To this end, it is imperative that a respondent be informed about the report process and what their testimony will be used for. The following points should be clarified:

- what information is being sought,
- what will be done with this information, (see project description above)
- what their level of anonymity will be in regards to the report,
- and what potential benefits they might see from conducting the reports.

While these reports are a tool with which we aim to advocate for people-on-the-move on the legal and public level, it is important to neither undersell nor oversell the potential impacts of these reports to the respondent(s). In some cases, a respondent may be under the impression that their testimony will directly help them obtain asylum in an EU country. Even though this, of course, is not true, it is still possible for these cases to be taken by legal groups or ombudspersons as legal cases or lawsuits. Still, in these cases, it is important to clarify the potential benefits and impacts of litigation. First off, it is an unfortunate truth that, within the world of litigation, the vast majority of cases are turned down by legal advocates based off of a lack of evidence. Furthermore, the cases are often prolonged affairs which obtain little immediate or tangible benefits for the respondent(s) in question. While this may seem like a pessimistic summation of the legal prospects for these cases, it is important to communicate the reality of these processes to the respondent individual(s).

One might also inform the respondent(s) that they need not mention any details related to the process of irregular crossing/smuggling. In general, the report should be focused on police conduct. While during the course of the interview, it may be necessary to clarify issues related to transit or people smuggling, however in our reports we will not publish any information related to these topics. On the one hand, there is no point in providing the police with information that they can use against people on the move. On the other hand, people smugglers (who have an extensive presence in transit environments) have in the past taken issues with these reports predicated on the assumption that we reported on the logistics of their work and accordingly threatened or intimidated respondents. If the respondent mentions something along these lines, do not include the information in the written report.

In cases where minors are involved, consent should be given both by them and their parents. The primary respondent should be one of the parents if possible. In cases of unaccompanied minors, whether or not to conduct the report with the minor is up to the interviewer’s discretion.

**Anonymity**

It is important to communicate to the respondent that they will stay anonymous within the context of the report. Neither pictures of their face nor their full name (or actual name) will be published. If there are injuries in the face to be photographed, the eyes will be covered, tattoos anywhere should be covered as well. In some cases, a respondent may have concerns that their testimony may put them at risk of reprisals from border authorities. Given the steps we take to ensure anonymity, it is unlikely that this would happen however it is still important to talk through these reservations with the respondent(s) and listen. It’s their story, it’s their trauma, and it’s their choice.
Nonetheless, if the respondent wishes to bring a lawsuit, it is not possible to make any legal pursuits anonymously - it is important to make sure the person is aware of this. We can contact legal support groups based on the country from which the individual(s) have been pushed-back. In most cases, the lawsuit and/or complaint to an ombudsman has to be brought without much delay (usually not more than 30 days after the incident), so it is important to get in touch as soon as possible. Again, we are not lawyers and cannot give legal advice. Rather, what we can provide in certain cases is to arrange the contact with an actual lawyer who can review the case and suggest further steps.

**Recording devices**

In general, there are two main ways to “collect” a testimony. On the one hand, you might conduct the report with notebook in front of you and quickly jot down the relevant points of information as they come up within the context of the conversation. Then, it is easy enough to later return to your computer and compile your notes into a chronological testimony. In general, the pen-and-notebook method is useful as it allows you to keep track of what information you have and what information you still need to collect within the context of the reports. Further, you might also find it helpful to ask your respondent to elaborate on certain points by drawing or writing in the notebook. It is particularly useful to clarify complexities within the push-back narrative (for example, the position of the officers present at a push-back site or the insignia designs on an officer uniform).

On the other hand, audio recording devices present an equally useful way to collect a testimony. In many ways, audio recordings allow the conversation to have a more natural feel to it as the interviewer does not have to take time to write in their notebook. Additionally, this method is useful for being able to gain direct quotes from the respondent. In general, it is best to attempt to keep the recording safe and avoid full names. Audio recordings can take more time to transcribe than notebook records but in general they ensure a more accurate recollection of the testimony. Although not always viable, combining the two methods is ideal.

**Translator**

Language barriers often present obstacles to the collection of testimonies. In minor cases, these barriers can be addressed by offering the respondent(s) the use of Google Translate to find the word(s) they are thinking of. In other cases, outside help may be needed. If the respondent is not able to describe the incident in question (as a result of a language barrier), it is important to have a translator present during the interview. It is unfortunately rare that we have volunteers who speak the mother languages of the respondent individuals - most often Pashto, Arabic, Farsi, or Urdu. In most cases the respondent(s) may have a friend who speaks English (or another colonizer language) well enough to translate. Ideally, the translator should be someone who the respondent knows personally. In cases where this is not possible, it is important to keep in mind the ways in which the translator’s presence might affect the respondent(s) testimony and comfort level. Keep in mind that, in some cases, the best English speakers within transit communities may also be the smugglers.

Furthermore, it is important that you, as the interviewing individual, have reasonable level of trust in the translator to convey information reliably. In some cases, people who do not have previous experience in the role of translator may over-summarize or make unnecessary assumptions. Finally, it is important to consider the ethics of exposing someone in transit repeated testimonies of border violence and trauma.
During the report

Attached [here](#) is our general form which you might consult for an in-depth view of the precise details, data, and information which it important to obtain through the course of a testimony collection. Still, it is important for these interviews to have a conversational, free-form flow to them and for that reason it may be helpful to have quick mental reference for the type of information which it is important to cover. In general, one might follow the general rule of – what, where, when, and who.

In its purest form, these reports are tool with which to allow victims of border violence to explain their own stories of abuse. Begin each interview by asking the open question of what happened? Let the respondent speak about their experience without interruption. From there, you can guide the interview ask for clarification when necessary.

**What...**

- ...happened?
  - Did the respondent(s) have anything taken (stolen) from them? What? Was it returned?
  - Did they express their intention to claim asylum? How? If yes, what was the reaction?
- ...happened during the detention?
  - Which place of detention have they been brought to (eg. police station, garage)?
  - Did the authorities ask the respondent(s) to read/sign anything? What language? Were the respondents given a copy of the signed papers? Did they take pictures/fingerprints? How?
  - Were they forced to pay a fee for their attempt to cross the border irregularly?
  - Were the respondent(s) able to fulfill their basic needs (access to toilets, food/water)?
- ...kind of violence (if any) was used? (See options in the [Form](#))
  - Did they use any weapons (batons, tasers, guns, etc.)?
  - Where were the individuals struck during the violence?
- ...happened after the respondent(s) were pushed back?
  - Did they have any injuries? Did they seek/receive any medical assistance? Can they describe/show the injuries? Do they feel comfortable with pictures being taken of their injuries and attached to the report? Do they have any medical reports that can be used?

**Where...**

- ...did the incident take place?
- ...did the group leave from on their transit attempt?
- ...was the group apprehended?
- ...was the group taken after being apprehended?
- ...was the group pushed-back to?
- ...did they return to?

**When...**

- ...did the group leave on their transit attempt?
  - How long were they in transit for?
- ...was the group apprehended?
  - How long was the group detained?
- ...was the group pushed-back to the border/across the border?
  - How long did it take for them to be transported to/across the border?
- ...did they return?
  - How long did it take for them to arrive to this location from their push-back site?
Who...

- ...were the “victims”?
  - Group size, age, sex, country of origin, other peculiarities (eg. LGBTQ*)
  - Were minors (aged less than 18) involved?
- ...were the perpetrators?
  - How many police officers were involved during their initial apprehension?
  - How many police officers were involved during their push-back?
  - What did they look like? (uniforms, appearances, cars, etc)
  - Were translators used by the police?

Terminology

Given the diverse backgrounds with which interviewers and respondents originate from, there is considerable room for variation in the words with which we use to communicate our reports. Let this short glossary serve a brief guide to the vocabulary that you might use when writing your reports.

Respondent - the individual(s) with whom the violence report is being conducted with

Testimony - The information which is received from the respondent during the course of the report

Authorities/officers - There are a variety of actors engaged in push-backs ranging from municipal police officers to special police units. “Policemen”, “commandos”, and “Border police” are all common ways with which these actors are described, however these terms can easily be used incorrectly or under assumption. The words authorities or officers provides a neutral way with which to refer to these individuals.

Group-member - While writing the report, you may find it necessary to refer to the individuals subject to border violence. Since “migrant” or “refugee” are subjective terms, the term group-member provides a neutral way of referring to people in transit in the reports.

Batons - Baton is a more formal way with which to describe these police weapons which respondents may refer to by a different word such as “sticks”

Ski masks - The perpetrators of push-backs are often described as wearing black ski masks to protect their identities. Many respondents will refer to these as cargol or balaclava.

Van - Many respondents refer to the vans which police officers transport them with as “camions” or “furgons”

Push-back - Push-back describes the informal expulsion (without due process) of people to another country in contrast to the term “deportation”, which is done in a legal framework. Push-backs have become an important, if unofficial, part of the migration regimes of EU countries and other countries. The legal term for push-back is “collective expulsion”.

1 Always inquire for further details if a respondent mentions the involvement of a translator, especially if they remark on receiving mistreatment. Generally speaking, a respondent will have had an extended amount contact with the translator, increasing the likelihood that they would be able to give a detailed description.
Appropriate skepticism

Put simply, these reports are only as valuable as they are factual. If the reports include exaggerations or false information, they will lose credibility as a whole and negatively affect the public perception of the experiences of actual border violence victims. To this end, it is important to do our very best to enter into these testimony collections with an amount of skepticism.

Respondents may get confused, respondents may exaggerate, and, in some cases, respondents might lie. Also, if they have been pushed back more than once, people might tend to mix up several cases within one interview. While this is not to say that this behavior is the norm, it is important to understand the potential for this behavior. In order to counter the possibility of publishing reports with confused, exaggerated, or false information, one should always evaluate the consistency and logic of a testimony. This is particularly true in the case of testimonies which describe uncommon levels of violence or unusual methods of treatment. If a respondent describes experiencing violence for particularly long periods of time (10 minutes or more), ask them to explain what exactly they mean. Clarify these questions with caution, they should not feel interrogated. It is important to become familiar with what a “regular” push-back entails (before taking your first testimonies, it is advisable to read through five or ten push-back reports on www.borderviolence.eu) and use this as a basis for evaluating what a “regular” border violence testimony might entail.

Additionally, as the amount of time between incident and testimony collection increases, so too does the possibility for the respondent(s) to blur long-term memories and bundle them with assumptions. This is not true in every case however to avoid confusion and complication, we believe that it is best to conduct reports on only recent cases of border violence. In general we do not accept reports that we conducting with more than one month in between incident and testimony.

Sometimes, respondents may completely make up a testimony. This could be due to a variety of reasons. The more questions you ask, the more likely you will be able to understand if this may be happening. Asking for specific descriptions of events within the narrative and then asking the respondent to re-describe these events is a way to reduce uncertainty. Simply clarifying at a later point with the respondent’s friends or peers is also a way to address uncertainty.

With this being said, our role is not to interrogate or invalidate the lived experience of border violence victims. First and foremost, it is our role to listen. After listening, however, we should take it upon ourselves to verify.

Managing assumptions

Assumptions, from both the interviewer and the respondent being interviewed, should be minimized as much as possible. It is important not to insert yourself within the narrative of the episode of border violence/collective expulsion. Do not suggest answers to your own questions and try to phrase questions as neutrally as possible. Instead of asking questions like “Did the officers wear masks?” you might ask questions like “What exactly did the officers look like? What did they wear”. With this in mind, again, most of the sample questions indicated above should not be asked directly as they already frame and propose a course of the incident - which should be framed by the respondent alone.
To this end, any case where assumptions have to be made or inferred from the testimony of the respondent should be unpacked and clarified during the context of the interview. The word *beating* presents a good example: It can be used for slapping, punching, beating with a baton or an electric baton, kicking etc. Put simply, a *beating* can mean different things to different people. Rather than settling at the word “beat” it is important to unpack this description and to be more specific. Instead of “the respondent was beaten by the police officers” try writing more objective descriptions such as “the respondent described being struck several times in the torso by the police officers who wielded batons”.

**Images and medical reports**

If possible, take pictures of injuries or other evidence (eg. broken phones or documents people received at the police station). Additionally, it is also useful to take pictures of medical forms in cases where the respondent has received medical attention from injuries acquired in a push-back. **Anonymity is important!** Pictures should not show the whole face. In regards medical reports, any information which conveys the names or personal information of the respondent(s) should be censored through later editing. In general, phones on cameras are the most appropriate tool for taking pictures as they are perhaps more normalized than say, a large DSLR camera.

Obviously, get the respondent’s consent before you take any pictures. It is also important to consider context in the event of taking a picture of a respondent’s body. Put simply, **asking a potentially traumatized individual to display their body for the benefit of a camera can be an incredibly large question to ask.** Many people in transit have experienced photographers or journalists taking their pictures without asking for permission or explaining what they will do with the image. People have understandable reservations about what these images be used and in these cases it is important to explain that their faces or identifiable characteristics will not be included within the picture. You should take the time to show them exactly the picture of them and tell them exactly what will happen to the picture. Delete the pictures in front of them if they change their mind.

**Think twice about taking pictures of injuries if they are not obviously caused by the perpetrators.** Injuries caused by thorns, infections, and blisters are unfortunately an everyday part of the reality of people who attempt transit. While this is certainly an important aspect for the public to understand about the situation, it does not necessarily relate to the specific incident of border violence and collective expulsion. With this in mind, it best to use your judgement about which pictures are appropriate or inappropriate to take.
Examples of appropriate pictures of border violence related injuries

Example of a properly censored medical form - in this case from MSF

Date and time

Time and duration are often difficult for a respondent to be able to describe with certainty, it is often a mess to order (without any phone it is even harder), but it helps to put in order all the different events. **Having a good chronology also helps to get more details about the other information.** It cannot be stressed enough that these details, no matter how mundane they may seem to ask, are the backbone of a viable report.

An unstructured way of telling a story or reverting back to other experiences (e.g. telling about what had happened during another push-back or what the respondent had seen on Youtube) can be an (often unconscious) way for the respondent to “escape” from the process of re-living through the push-back experience. In order to collect the information...
you need for the report, it is important to bring the respondent back to his story sooner or later, however try to do this in a careful and patient way.

**Location data**

It is good to clarify in as much detail as possible the movements and locations of the group after their apprehension by authorities. The best possible way to do this is through a GPS location; Google Maps is a great tool for determining location data during an interview. Letting the respondent show you the location on a map and then taking a screenshot can be helpful. It might also help to first become familiar with the geographic area as well by going through some previous reports conducted in the region and checking out the mentioned places on a map (eg. crossing points, pushback places, police stations, border rivers etc). It is not necessary to ask any questions about the specific route that they took during transit nor obtain any GPS locations for this info.

Similar to date and time estimates, location data can be hard to remember for pushed-back individuals. In these cases, asking questions which provide contextual clues as to their locations can be a helpful tool. Ask questions such as:

- **Do you remember the name of (nearest) town/village?**
- **How long were you walking for (or driving) since crossing the border?**
- **How long did the journey from point A (ex. the police station) to point B (ex. the border) take?**
- **Do you remember seeing any signs or unique landmarks?**
- **Was it a paved or an unpaved road?**
- **Were there other buildings? Was it in the forest? Did you see a river?**
- **What did the building (ex. the police station) look like?**

**FRONTEX**

In general, it should be understood that direct FRONTEX involvement in push-back incidents within the Western Balkans is rare. Most push-backs are conducted by state or municipal authorities. This being said, FRONTEX officers are present within the region to varying capacity and, given the agency’s position as a direct apparatus of the EU’s border strategy, it is of great importance to monitor any instances in which these officers may be involved in these acts. If there is an indication of FRONTEX involvement (such as non-national languages being spoke or light-blue armbands bearing the EU emblem), please examine the respondents assumptions in detail. If you determine there to be a high possibility of FRONTEX officers involved in the incident, ask the respondent their thoughts about submitting an official complaint to the FRONTEX Fundamental Rights Office.
After the report

Checking the details

When you think you obtained all of the relevant information, you can explain your version of the incident to the respondent with the help of your, let him*her read them directly if possible or review the narrative again to make sure that you got everything right. In some cases, this will provide the respondent a chance to clarify some points, add new information or correct your version. Be careful to not interpret what you hear with your own perception. Your assumptions or own opinion on the whole issue are inappropriate for the report, try to make it as factual as possible.

If you have serious doubts about the factuality of parts of the report, there are several ways how to deal with it: sometimes this piece of information can be left away, sometimes you can signal that this is what the respondent recalled (e.g. if a respondent says they had been beaten for 30 minutes but does not have injuries which correspond to this, you might write “they were beaten for what the respondent said felt like half an hour”).

If possible, send them the report you composed after the interview for proofreading before publishing it.

Contact Information

Especially in cases where the respondent expressed an interest or willingness to be involved in litigation, it is useful to have some manner in which you can stay in contact with the respondent. Having the ability to stay in contact with the respondent not only allows you, as the interviewing individual, to keep them informed about what will happen to their report but it also allows them the possibility to reach out in regards to future incidents. It should be understood that this is not appropriate or necessary in every scenario, but it is an important consideration. Make sure to keep contact information private.

Ultimately it is your decision whether or not to share your information. Some find the prospect of giving out personal information as risk both to the professional nature of the interviewer-respondent relationship and also to the long-term mental health of the interviewer. It is also possible to set up separate social media accounts for the purpose of staying in contact in these situations.

Volunteer mental health

Given the context, it may seem that the mental health issues of volunteers, who in many ways operate under a blanket of privilege, is a luxury problem. We listen to stories about push-backs, we do not experience them. Nonetheless, this work is emotionally demanding. Fatigue, burn-out, and stress are common issues for people who take push-back interviews. Feelings of guilt rising from a feeling that you are “not strong enough” are a) unfounded b) common and c) made worse by keeping them to yourself.

While complaining about these issues in front of respondent(s) is probably inappropriate, you should understand that your community of volunteers is willing to discuss these issues. Remember, there have been many volunteers before you dealing with this task. Former volunteers are always at your disposal to talk about the difficulties that you may be facing while collecting reports. Please feel free to get in touch with mail@borderviolence.eu.
There is no benefit in “playing it tough” - not for you personally and not for other volunteers involved in the project who may feel pressured to follow your example (which, eventually creates a competitive, macho, environment instead of a compassionate, supporting, and collaborative one). Preventing these issues by taking a day off from the project regularly (and we’re talking about a real day off, not a day in which you are correcting reports and helping with the humanitarian project) might feel like a selfish thing to do, but it’s better to take one day off regularly than being forced to finish the project prematurely or to not be able to fulfill your task in a proper way. Not taking sufficient self-care can do more harm than good to you and your environment alike. Getting the rest and care you need will also mean that you will be better able to be a careful, understanding and patient interview partner for the respondents.