



SURVEILLANCE AND COUNTER - SURVEILLANCE

For Human Rights Defenders
And Their Organisation

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UDEFEGUA has been monitoring, investigating, documenting and reporting attacks on human rights defenders for over ten years. It works in partnership with numerous Guatemalan organisations. UDEFEGUA (Human Rights Defenders Protection Unit Guatemala) and Protection International collaborated in 2008 to set up a Protection Desk called Aj Noj. In 2014 Aj Noj began to operate independent of UDEFEGUA.

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PURPOSE OF THIS BOOKLET

Being a person who assumes the responsibility of defending rights of others is no easy task. Unfortunately, in many cases human rights are at odds with the private interests of powerful actors who will not hesitate to turn violent. Human rights defenders remind us that human rights must not be violated, that the collective standards of co-existence are above private profit at any cost. Many defenders suffer aggressions and persecution, including surveillance to keep them under control and to prepare attacks (aggressions) against them.

This booklet aims to provide human rights defenders and their organisations tools to check and curtail such practices: By engaging in counter-surveillance one can make it more difficult for aggressors to attack so that your security will improve and you can continue with defending human rights safely.



CHAPTER 1: INTRODUCTION

Surveillance is the art of observing the activities of people or groups from a position of authority or power. It may be covert (without your knowledge) or overt (perhaps with a frequent reminder “we’ve got our eyes on you”). It aims at gathering information on the work of a defender or his/her organisation to prepare for an aggression or serve as a demonstration of

potential aggressor’s capacity to harm with the intention to scare the defender and making him/her stop engaging in sensitive work.

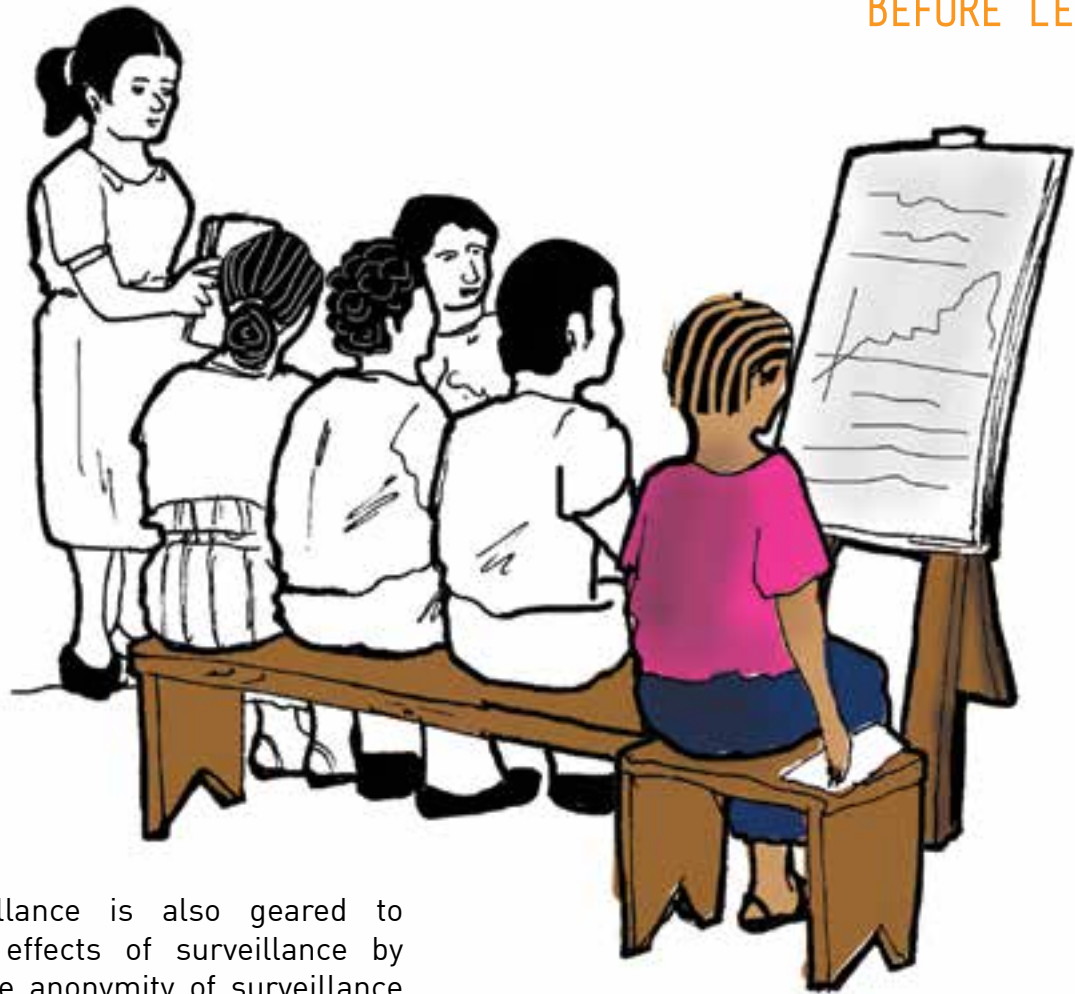
Surveillance is part of human history. The Art of War by Sun Tzu, written more than 2,500 years ago in China, analyses how spies should be used against the enemy. Modern technology has given surveillance a new dimension - surveillance can be automated using computers and extensive records of people’s activities can be kept over a long period of time.

BEFORE LEAVING

Counter-surveillance is the practice of detecting surveillance i.e. of detecting whether you are being watched. It is also the practice of avoiding or making surveillance more difficult. Before the computer age, counter-surveillance entailed evading agents, spies or “ears” and finding ways to communicate secretly. With recent developments such as the Internet, the increased presence of electronic

security systems and databases, counter-surveillance has grown in scope and complexity. Today, it entails nearly all our areas of work, from knowing how to delete a computerised file without leaving a trace, to avoid being the target of direct advertising agencies who have gathered information on your preference through your use of the Internet.

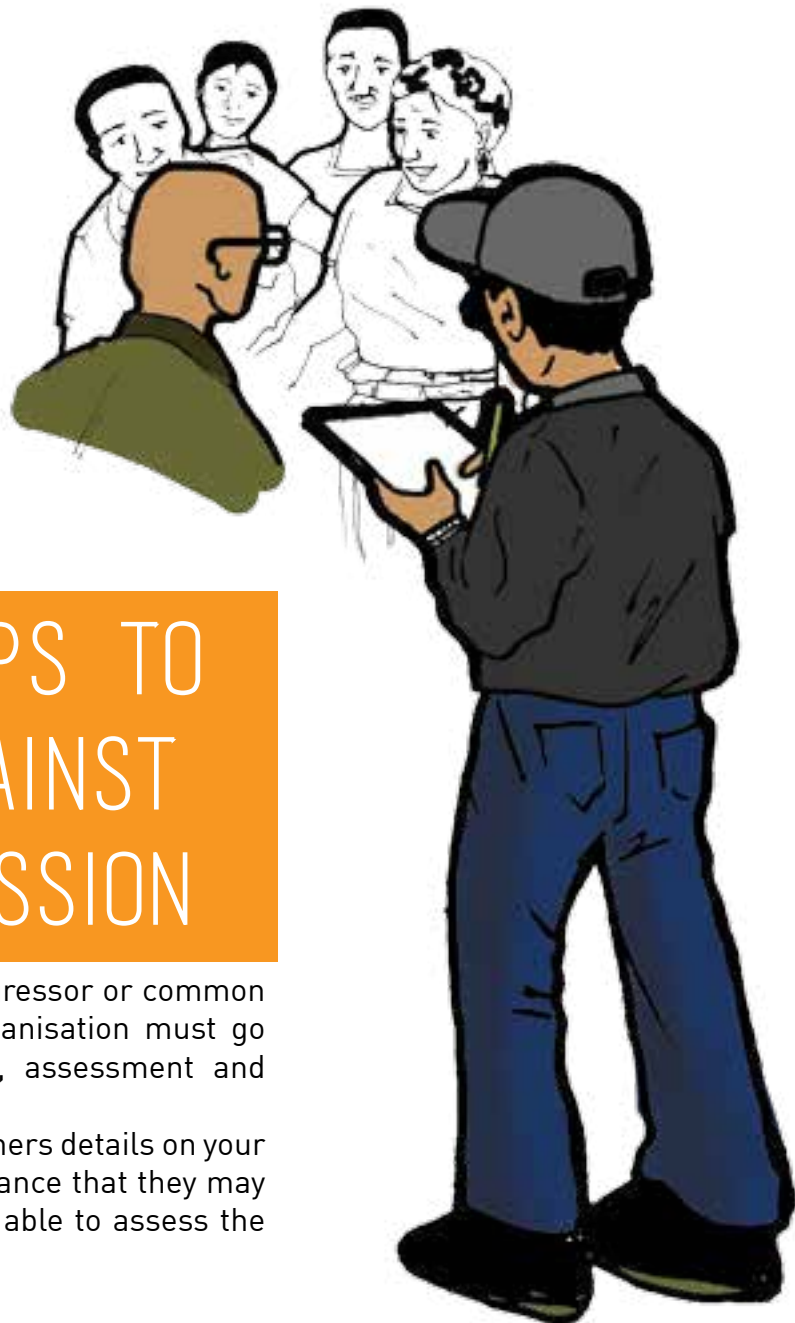




Counter-surveillance is also geared to reversing the effects of surveillance by taking away the anonymity of surveillance and disclosing acts of surveillance and their perpetrators. It tries to break the secret or restrictive use of surveillance records, e.g. by citizens requiring that police personnel identify themselves, questioning people suspected of watching your premises or taking part in marches and public activities to be able to identify infiltrators.

Every surveillance action is followed by an analysis of the information obtained which yields intelligence.

All information obtained from counter-surveillance must be analysed by human rights defenders to gauge the degree of the threat and assess whether an action is being prepared against you.



CHAPTER 2: STEPS TO TAKE ACTION AGAINST POSSIBLE AGGRESSION

Any aggression action that an opponent, aggressor or common criminal may take against you or your organisation must go through three main phases: information, assessment and decision/action.

In the **information phase**, the aggressors gather details on your conduct, the geographic context and appearance that they may need for their intentions and in order to be able to assess the feasibility and expediency of their plan.

STEPS TO TAKE ACTION AGAINST POSSIBLE AGGRESSION



The **assessment phase** is geared towards determining whether the action being considered will produce the desired result at an affordable cost; a cost/benefit analysis

will be conducted (cost-benefit balance sheet) to see if the calculated benefit is greater than the estimated cost of the action. Then it is safe to decide to take action.

To protect yourselves from aggression, you have to proceed in the same way **but make a decision and take action** but in an opposite manner:

Conceal information from potential aggressors so that they cannot identify a target, e.g. that you are carrying valuables or giving easy access to sensitive or personal information that exposes your vulnerability to attack such as where your children go to school, your routine, when you go out on your days off, etc.

Gather information of what is around you such as suspicious people or cars, who approaches you, who is in the vicinity. For example, if there is a policeman or security

STEPS TO TAKE ACTION AGAINST POSSIBLE AGGRESSION

guard in a nearby shop, how would you be able to leave discretely? If the ongoing assessment of the gathered information points to an attack, you take rapid action for your protection.

In the information phase, we proceed in different ways, depending on whether we are protecting or concealing information about our activity or private life or whether we are gathering information on how we are being watched.





assessing a possible aggression or simply to compile information on how we proceed and to use it where and when deemed necessary. The plethora of means of communication and technology for information gathering purposes, whether images, recordings etc., makes this activity constantly more complex and difficult to detect.

Surveillance may imply a threat, if it involves immediate action, or not, if it is limited to simply gathering information for the time being.

We must bear in mind the risk at which we may be placing other people if we are watched and followed. For example, we might deliver witnesses or victims to those who are watching us when we attend meetings with them, whereby they become targets too.

As we shall see in the next chapter, we have to organise counter-surveillance assignments to find out whether we are being watched.

By whom and how can we be watched?

We can be watched by people in the neighbourhood, watchmen, vendors, people waiting in cars, people who pay us visits, etc. They keep us under watch for money, because they have been pressured into doing so (out of fear), because they consider it necessary (owing to ideology), or because of a combination of these factors.

CHAPTER 3: SURVEILLANCE

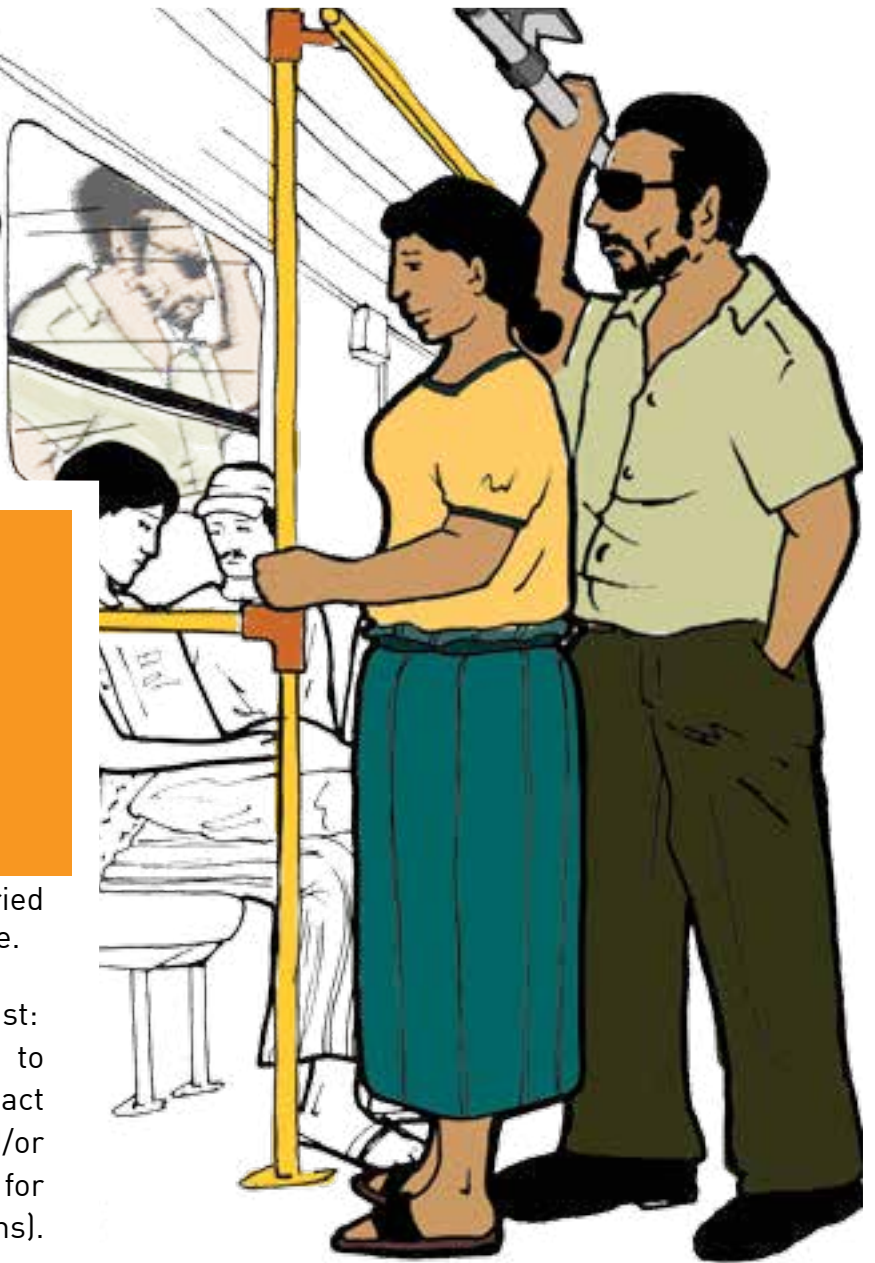
Surveillance is carried out through many means and always has a goal. It is geared to collecting information on the environment of our organisation or ourselves, with a view to

SURVEILLANCE

Those who order that we be watched may also send operatives or members of their organisations in areas where we happen to be. They may also follow us from a distance. In such a case, they will normally be members of an organised institution or group and will use tactics in following us so that we are not aware of it. They will thus keep a safe distance, turn and change location, vehicle, etc. Such modes of surveillance include:

- Watching and following on foot, by motorcycle or car.
- Investigating and questioning our friends or neighbours.
- Telephone tapping, interception of SMSs, stealing address books or other information found on mobile phones.
- Determining where we are located by means of a mobile phone GPS.
- Tracking information posted on social networks, web pages, blogs, etc.
- Intercepting e-mails, chats and calls via the Internet.
- Stealing computers, USBs and other portable digital storage systems, external discs, etc.
- Recording images using still photography or video cameras.
- Gathering information by going through our papers in the rubbish bin.





CHAPTER 4: COUNTER - SURVEILLANCE

Counter-surveillance is the action carried out to counter surveillance or intelligence.

To carry out counter-surveillance, we must:

- Observe our environment actively to detect any surveillance action and react accordingly (seeking protection and/or trying to obtain proof of surveillance for subsequent complaints or investigations).
- Prevent those who are watching us from obtaining information from us (by any means at their disposal).

COUNTER - SURVEILLANCE

4.1 How to know if we are being watched

Logic dictates that it is wise to check if we are under surveillance if we have reason to believe that we are – for example because of security incidents which could be related to surveillance.

If our human rights work carries a certain risk, it is a good idea to conduct a simple counter-surveillance exercise from time to time, just in case. We must not however become constantly concerned if we do not have grounds for being overly cautious. Many of the actions proposed in this chapter cannot be carried out every day, because they are tiring. But they are important if we suspect that we are being watched. We therefore have to be very alert.

4.2 Counter-surveillance actions to detect cases of surveillance or of being followed

If you manage to document actions of surveillance, including threats, you will be able to conduct a better analysis and to demonstrate publicly that such actions are being waged against you, for instance that such an actor is gathering information on you or the organisation, and in so doing expose him. They may be dissuaded if they see that you are recording the movements

that are taken place in your environment or during public activities, and such actions can provide proof in case of aggression against you. These include:

- Filming public activities to ascertain subsequently whether there were any persons suspected of watching you or even deter such people.
- Installing surveillance cameras in offices or homes.
- Installing “forensic analysis” programmes that detect the hacking of computer equipment.

4.3 Counter-surveillance when coming out of the house or office

Our movements are often watched. This type of surveillance may indicate that an operative is preparing an aggression or that they want to know with whom we interact. Walking down the street may require all our attention. We must never walk absent-mindedly, because that makes us very vulnerable.

- When we come out of the house or the office, we should take sufficient time. At times when we go out in a hurry because we are running late, we cannot see what or who is around us.
- We must have a good look when coming

COUNTER - SURVEILLANCE

out of the house or office to gauge the usual on goings to detect unusual elements when they are present.

- When walking down the street, we must maintain a security perimeter within which we can ascertain any suspicious element suggesting that we might be under surveillance or threat.
- We can check by changing sides (pavement), direction or route when we suspect that we are being followed.
- We should turn to look back occasionally and in a natural manner.
- It is advisable to walk in the opposite direction of vehicles, which enables us to see at a good distance cars approaching us.
 - We can check whether we are being followed by suspicious people by walking up to a window, pretending to be looking at a product and using the window as a mirror.



COUNTER - SURVEILLANCE



- When we suspect that we are being followed, we should go into a shop, store or public place and ask about some merchandise or try to buy something, whilst checking what the suspect persons are doing, and ask for information if necessary.

- Check to detect whether we are being followed in less crowded places so that we can spot the persons and cars better.
- Keep homes and offices neat and tidy to be able to detect any change that may have occurred in them while we were away. We must here take measures for checking with concrete elements such as chairs, carpets or tablecloths, etc., placing them in a special way to see if they were moved in our absence.
- You can change your appearance at a particular time without those watching realising it so as to evade them for example changing a shirt, wearing a cap or changing it, putting on sunglasses, etc.
- When leaving a public meeting, take a route with frequent changes of direction, checking whether we are being followed.
- Go in a shopping centre by one door and look quickly for another exit before those who may be following us can detect that exit. This is a good time to change appearance as well.
- It is very useful to rely on the help of other people for counter-surveillance, for example having a neighbour check when you leave or enter the house. Those who are watching you hide so that you will not detect them, but that is more difficult to do from third persons.

- If you suspect that you are being followed, you can ask someone to help with counter-surveillance by walking behind you at a safe distance, but keeping an eye on people around us. The same technique can be used by car, by having a friend follow your vehicle at a distance whilst keeping an eye on other cars that are driving close to yours.
- If you suspect or detect that you are being followed, you can take actions to disrupt the surveillance. Such actions must also be taken proactively by abandoning public gatherings such as marches, etc. to go home or other places. They must also be taken when you go to appointments with witnesses or victims entailing serious danger.

4.4 Counter-surveillance in public transport

Public transport can have serious vulnerabilities, especially if we are not careful. Using public transport must be a conscious act regarding security.



The stops for buses and other means of public transport are frequently used for surveillance with a view to assault, theft, rape or aggression disguised as ordinary crime. We should know these places very well, especially the ones we normally use. We should know whether there are surveillance cameras at the bus station, police stations or nearby buildings to seek refuge in case of emergency. If you have this information, you will find it easier to detect surveillance or threat and to react preventively.

COUNTER - SURVEILLANCE

Before getting on a bus, you should look around the bus stop to see whether any suspicious people get on, and if one does, let the bus go and wait for the next one. When you get on the bus, look around at the people who are on it and those who get on at subsequent stops, being attentive to pick up any suspicious signals amongst them. Such signs can help you detect imminent danger. You should choose a place on the bus that affords a good view of what is going on and quick access to the doors. If you find a seat, do not sit by the window because it is more difficult to get off the bus quickly in case of assault or any danger.

Only take a taxi that is properly marked with company stickers and has its taxi number prominently displayed. If the taxi does not have a taxi number note down its number plates. Lock the doors first and check that they can be opened from the inside. It is best to take the seat behind the driver and call or send a message to your colleagues giving the registration or number plates of the taxi. Do not engage in confidential conversations or any talk that mentions our work in defending human rights if travelling with another person.

4.5 Counter-surveillance by car

When driving, check often in the rear-view mirrors, paying particular attention to any suspicious cars following you.

If you detect that you are being followed, it is advisable to drive around a particular area to determine whether a car is really following you. In determining whether that is the case, we must take them to a place where we can identify them. It is best to go by places with surveillance cameras so that they can be filmed. If they do not stop following us, then we must not go to our destination (unless it is a safe and known place, like an office in a busy place). Call someone to inform him or her about being followed and go to a place where there are many people (preferably a police station, petrol station and/or shopping centre), park, get out and ask for help. Park the car in an area with quick exit and keep the keys with you not in the hands of a fellow driver or guide.

4.6 Counter-surveillance for female rights defenders

There have always been many women involved in the defence and promotion of human rights. Female rights defenders work alone, organised and together with men, but all too often, they are faced with gender violence as a way to get them to stop

COUNTER - SURVEILLANCE

defending fundamental rights. Emphasis should consequently be laid on the security of female rights defenders and their dignity.

Female rights defenders run a greater risk because they are up against cultural, religious and social standards that are the result of patriarchal societies in their work for the defence of rights and freedoms. Such women are exposed to danger not only through their work but also through their gender and the fact that their work and personal affirmation can undermine social stereotypes in relations of power between men and women.

All rights defenders in an organisation must be attentive to indications of surveillance with the intention of gender assault. Such hints may be comments from outsiders and sometimes from insiders within the very organisations of rights defenders. When we detect that personal questions of female colleagues like their sexual relationships etc., we must be alert to prevent the disclosure of information that could lead to aggression through rumour, moral or sexist condemnation.



COUNTER - SURVEILLANCE



Sexual predators also engage in surveillance in search of a vulnerable victim. Public transport is used extensively for this type of aggression. We should engage in counter-surveillance by observing if there are suspicious glances or movements such as groping. When we suspect that someone is watching or observing us, we can if possible change seats or try to get off the bus and escape to safety.

When we are being watched with the intention of sexual aggression, it is important to show self-confidence and purpose, as these characters can dissuade aggression. Body language is important. Adopting and maintaining a firm posture and attitude when walking should be maintained, keep the shoulders back, the back straight, and look forward.

Wear your hair up in the street and carry an object that can be used to defend yourself if necessary and to dissuade the aggressor, such as a handbag, an umbrella, a bottle etc. These details very often help dissuade the lurking sexual aggressor.

4.7 Counter-surveillance information to protect information

As a first step towards counter-surveillance, we must be on the lookout against those who can get information we do not want to disclose that could then be used against us by our opponents.

- Change travel routes;
- Change times when leaving or coming back to the house or office;
- Do not broach topics with sensitive information in places where others can listen in;
- Use a paper shredder for printed documents containing sensitive information.

The telephone is an essential tool for human rights defenders but vulnerable to such a degree that it should be used with great caution.



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Many times, for the sake of convenience at work in the office or for the study we are conducting, we lose sight of what we say over the telephone (including our mobile telephone). We do not take account of how easy it is to listen in on our conversation. Some of the people who threaten rights defenders have a great deal of human and technical resources at their disposal, and state security apparatuses have been shown to be involved in the surveillance of and aggression against rights defenders. We must consider very carefully the reach of

those who threaten us and the means at their disposal, so that we can take measures to protect the information that we manage by this means. Anti-terrorist legislation has in many cases been used to violate the rights of defenders. We must therefore:

- Never leave our mobile phone in the hands of third parties.
- Use anonymous mobile phones whenever possible and change them regularly.
- Remove the battery from the mobile phone when we go to sensitive appointments so that it cannot be used as a microphone or



COUNTER - SURVEILLANCE

GPS (our location can be determined with precision through our mobile phone).

- Make copies regularly on safe storage sites, and clear securely images, videos, data, etc. from our mobile phones.
- Do not keep the mobile phone close-by during sensitive conversations.

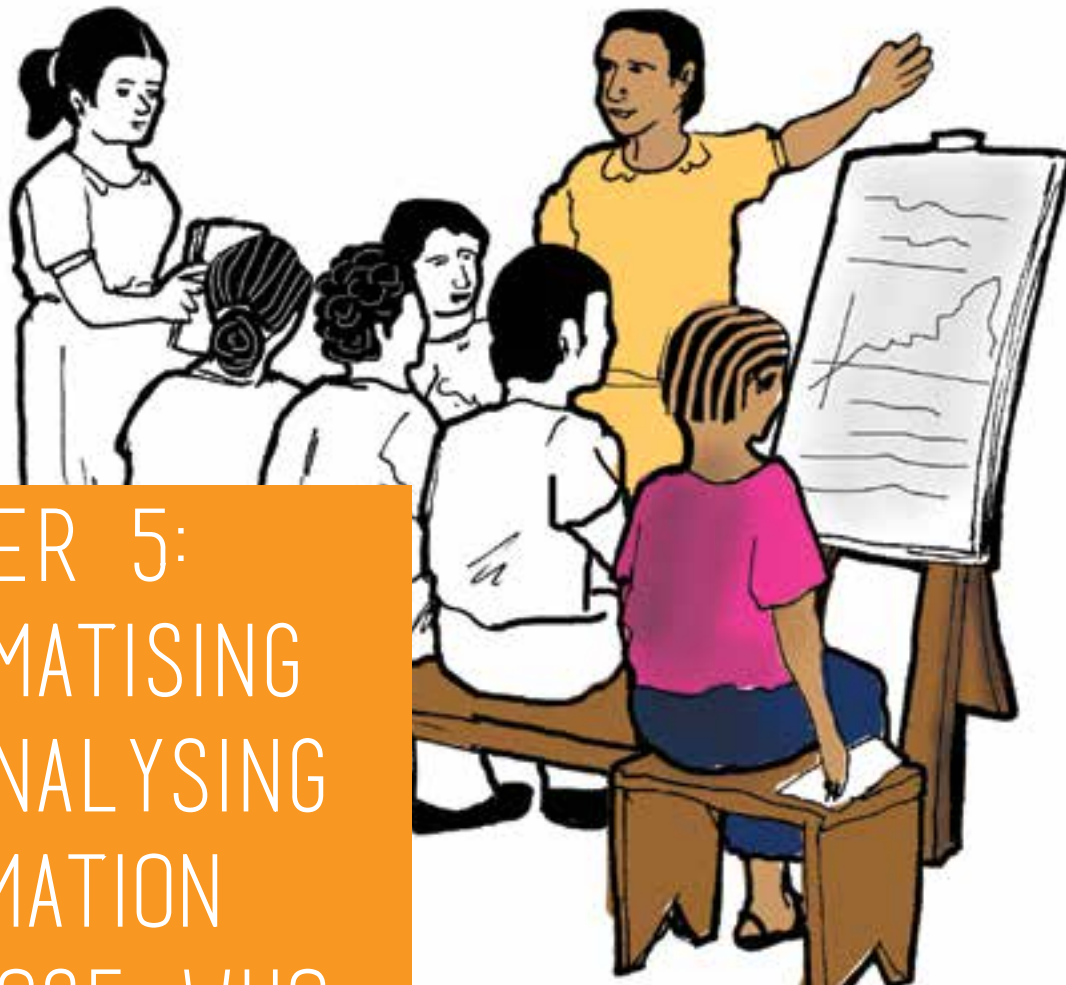
Telephones and computer equipment provide countless advantages for defenders in performing their task, but at the same time facilitate the loss of information enormously, and not being aware of such possibilities and not taking appropriate counter-measures render us extremely vulnerable. Accordingly, we must:

- Switch off and uninstall programmes and services we do not use on computers and mobile phones;
- Keep our computers free from viruses and malware.
- Have original licences of the programmes installed on our computers.
- Protect the computer network of our offices and house with firewalls.
- Refrain from using public wireless networks for sensitive information.
- Never use Bluetooth.
- Limit personal information and do not upload sensitive information on social

networks, webpages and blogs.

- Encrypt and anonymise our communications via the Internet (mail, chat, social network, calls, access to web pages and blogs).
- Encrypt sensitive information on computers, CDs, USBs, external discs, etc., and destroy all unencrypted sensitive information in a secure manner.

CHAPTER 5: SYSTEMATISING AND ANALYSING INFORMATION ON THOSE WHO WATCH OR THREATEN US



As human rights defenders at risk, we should always carry something to write with and a notebook in our pockets to take notes on all suspicious aspects that we might meet in our activity whether defending rights or in a personal capacity, which we will call incident notebook. The information we note at the time we detect something suspicious

SYSTEMATISING AND ANALYSING INFORMATION ON THOSE WHO WATCH OR THREATEN US

or when a more serious incident occurs is very valuable as it is gathered first hand and at the time something is happening. The information will prove very useful to compare with other colleagues or for a possible investigation.

It is of fundamental importance to report and share information with colleagues

in our organisation as well as with other organisations if necessary. It is moreover very important to compare the information and analyse what has happened to take precautionary measures.

And let us not forget that any documentation on surveillance can facilitate legal action where warranted.



Protection International is an international, non-profit organisation that brings protection strategies and security management tools to human rights defenders at risk. Since 2004, Protection International has been working with local partners in over thirty countries throughout the world.

Protection International envisions a world where human rights and fundamental freedoms are universally recognized and respected, and where everyone has the right to defend these rights and freedoms without fear of threats or attack.

Our mission is to support human rights defenders through comprehensive protection programmes. Our programmes help defenders build their capacities in order to manage their protection effectively, to allow those that protect them fulfil their obligations, and to convince other individuals and institutions with a stake in the protection of human rights defenders to maximise their positive contribution. Protection International always works in partnership with defenders.

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