

PRACTICAL GUIDE FOR MEDIA

HOW TO RESPONSIBLY REPORT WAR-RELATED SEXUAL VIOLENCE



UKRAINE

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GUIDE EXPERTS

This is intended as a practical guide for media workers reporting on war-related sexual violence in Ukraine. It provides context and advice on language, consent, and behavior when conducting interviews.

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INTRODUCTION



THE RUSSIAN MILITARY HAS COMMITTED AND CONTINUES TO COMMIT SEXUAL VIOLENCE AGAINST UKRAINIAN WOMEN, MEN, CHILDREN, AND THE ELDERLY. WHILE THE UKRAINIAN POLICE HAVE LAUNCHED A SERIES OF CRIMINAL PROCEEDINGS FOR THE ABUSE AND RAPE OF WOMEN AND GIRLS IN DONETSK, KYIV, KHARKIV AND KHERSON REGIONS, NOT ALL VICTIMS ARE READY TO TELL THEIR STORIES.

Meanwhile, Ukrainian and foreign journalists looking to report these stories are often searching for heroines.

We know from our experience that not all of the reporting has been sensitive or responsible.

The Council of Europe Commissioner for Human Rights, Dunja Mijatović, also noted in July her concern “about reports that details of some cases of war-related sexual violence, including the victims’ identity have been made public on social media or in the press.

Stressing that such action may result in further stigmatisation and re-traumatisation of the victims, the Commissioner emphasises the importance for journalists and media actors to always report ethically on cases of war-related sexual violence and always respect the victims’ rights and dignity.”²

We offer some advice and guidance to those reporting war-related sexual violence in Ukraine on how to report these crimes sensitively and responsibly, and address some of the most common questions asked by media workers in this context.



² <https://rm.coe.int/memorandum-on-the-human-rights-consequences-of-the-war-in-ukraine/1680a72bd4>

COMMON EXPLANATIONS

Media workers often explain to survivors of war-related sexual violence why they want to report their stories. Common explanations include:

We want to be the first to tell the world about this.

We need examples, we can't be abstract about evil.

People need to know individual tragic stories; detailed stories have greater impact.

We want to amplify women's voices.

Everybody will know about you.

The world has to know about such crimes.

The public has to know what kind of horror is happening.

Our editors always want these stories.

Women and girls have to be sure that there are mechanisms of protections and support for those who experienced this crime.

Evil must be punished.

BUT IT IS VITAL THAT REPORTING FOLLOWS THE PRINCIPLE OF DO NO HARM. YOU MIGHT THINK YOUR REPORTING IS OF MINIMAL HARM, AND CAN HELP PROTECT OTHERS, BUT IT'S IMPORTANT TO FOLLOW THESE GUIDELINES:

✓ Proceed from the principle of trust: You have been entrusted with a painful story. Listen to the person. Don't become an investigator.

✓ When verifying a story, be an attentive and sensitive documenter. This is not an exercise in investigative journalism.

✓ Appropriate topics for investigative journalism may include the security process, the working of "green corridors," state-provided relief, or the behavior of the occupiers' armed forces.

✓ International legal standards state that a correctly-documented story of a person who survived sexual violence does not require other proof.

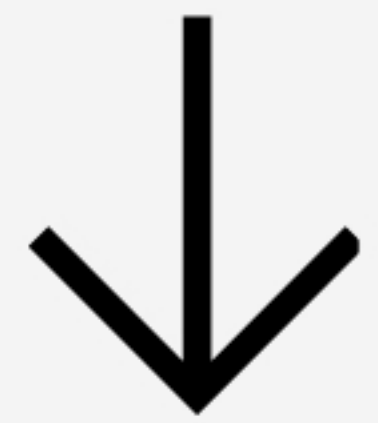
✓ Rape is, first of all, a trauma and a crime. Only after that is it a media story. Rape during war is a war crime.

✓ Leading practitioners, including Cathy Caruth, say an indication of trauma is to avoid speaking out, retelling, or narrating the incident.³

✓ This means that not everyone who has had a traumatic experience dreams of retelling it to someone with a camera or a microphone. Refusing to give interviews rather than giving them is perfectly normal.

³ Cathy Caruth, *Listening to Trauma*, Johns Hopkins Press, 2014.

PRIORITIES



REMEMBER, BE A HUMAN BEING FIRST, AND ONLY THEN BE A JOURNALIST.

Traumatic experience is often so unexpected and confusing it cannot be properly expressed through words.

Words often lag behind the experience and can't adequately describe it.

Far from everyone who feels traumatized looks like a stereotypical victim. Some appear tough and, at first glance, calm people. But people may also be aggressive, distraught, lost, worried, frozen, or unable to speak.

People who survive such crimes react in a range of ways. Some might attempt to avoid attention, and stay very still. Others may appear aggressive, if they think that not everyone understands what they have been through. Reactions vary from numbness to loud cries.

The person who suffered sexual violence may not look, talk, or behave in the way that you expect.

While there is a range of reaction to trauma, there are also common signs of traumatic experience which should be understood by anyone who wants to conduct interviews or ask simple questions.

All these survivors are vulnerable, they aren't expecting to be put in front of microphones or cameras, or to deal with calls made in a lofty tone about the important mission of punishing the perpetrators.

Rape is among the most traumatic of experiences. Apart from the physical pain, most cultures assign a stigma to survivors of rape.

This is one of the most important reasons why women survivors of rape do not want publicity, and no journalist ever has the right to manipulate anyone by demanding they speak out publicly in the name of justice.

A WOMAN WHO ENDURED TRAUMATIC EXPERIENCE CAN FEEL

⌵ THREATENED AND IN DANGER

It is a common fear that the rapist will return or recognize her. Retelling her story might also mean she relives her helplessness. A pack of questioning journalists can seem like an attack. These conversations require careful preparation. Many people who have endured such experiences choose to be with a person of trust (e.g. a lawyer, a psychotherapist, a female friend) when they talk to a media worker. This is normal and should be respected.

⌵ SHAME

The feeling of shame is a common experience.

⌵ GUILT

Those who have suffered rape often feel that they are somehow guilty for what has happened to them; guilt that they did something wrong, or guilt that they couldn't defend themselves, or guilt that they somehow provoked the rapist. THIS IS NOT SO: Only the rapist is guilty.
And it is important to remember these points when you are telling their stories as journalists.

THINGS NOT TO DO

YOU SHOULD NEVER:

- ⊗ Intentionally provoke tears. But if someone cries, don't be afraid, and be prepared for this. Tears are natural, and you should not say "Calm down" or "Why are you crying..." It is enough that someone feels safe talking to you, and that you can give them as much time as they need to recover their composure. If you are working with a camera, ask permission to continue filming.
- ⊗ Try to catch people out if they say something wrong. When someone is silent it doesn't mean that they want to hide something. When someone is telling a confusing story, it's not a reason to suspect them of lying. It is normal for people who have endured trauma to be confused about the timeline of events. This does not mean that you cannot try to specify something. Do ask for clarification but be sensitive in your speech, body and face language, and gestures.
- ⊗ Touch anyone who tells you their story of sexual violence. Do not touch their hands, shoulders, or their back. Do not hug them.
- ⊗ Stigmatize anyone. Do not share your vision of an ideal victim, do not share your fears, make wide eyes, shame them, blame them, treat their words with skepticism, or show any sign of superiority or judgement.
- ⊗ Fall into a state of pitying someone. Don't say: "Oh My, how did you manage to survive this?" They may be in a state of acute stress reaction, and you may make it worse. Compassion and empathy are in NOT HARMING the person.
- ⊗ Ask about what the person felt when they were in the situation of trauma. Specialists work with emotions; journalists have other jobs.
- ⊗ Ask to see photos from their peaceful life, or their life before the trauma. Don't ask to see pictures of them as children or say "Could you show me your photo album?". Channel the conversation away from emotions to the facts that the woman is prepared to tell. Questions such as: "How do you feel?" or "What have you felt?" are bad questions. More acceptable options are "Where is the best place for you to start from?", "What do you remember?", or "What did you do then?", "What happened later?"



THINGS NOT TO DO

YOU SHOULD NEVER:

- ⊗ Exploit the person. Even if you sense the story of a lifetime, an incredible career opportunity for yourself, do not use the vulnerability of people who have trusted you. Do not manipulate anyone.
- ⊗ Promise what you cannot do: For instance, don't promise that you will protect them, or take them to another country, or punish the perpetrator. You cannot do this. What you can do is to listen to them, and promise to stand by them and their truth.
- ⊗ Request or take from a survivor of sexual violence evidence from the site of events. The inviolability, entirety, and integrity of evidence are important for any investigation and for the survivor.
- ⊗ Make any links to any of the survivors' social networks, even when you are sure that you have disguised their identity. You may be mistaken.
- ⊗ Take pictures, even if it seems to you that a photo of a person's profile will harm no-one, or that the person won't be recognized. Do not even take pictures of the person's hands. Experience shows that people can be recognized by their nails, decorations, rings, scars, etc.
- ⊗ Ask for photos of their children, even if you think this would add a human touch to the story, and generate more sympathy for the survivor.
- ⊗ Push the person for personal details about where they live, where they work, what job they do, the school they went to, if they have a husband and children, or where they are now.
- ⊗ Press for more details. Don't ask "Were you raped by one or by three?" or "Were the clothes taken off you?" or "Had you undressed yourself?" or "Were you raped in an unusual way?", or "Had you treated the rapists to tea, or had drinks with them?" or "Can you tell us how they threatened your child?"
- ⊗ Focus on their appearance or their clothes, or their manner of speech. We all have presumptions about how victims look and talk, how we visualize traumatized people. All this impedes listening and perceiving everything without bias.



THINGS NOT TO DO

YOU SHOULD NEVER:

- ⊗ Focus on their age, unless they are a child, where their age is relevant.
- ⊗ Tell them that you understand their pain, that you understand what this person feels. Because you do not.
- ⊗ Tell them that you had a similar experience in the past, and can put yourself in their shoes. We react individually, and every case of violence is individual. There are no generalizations for this crime, no similar manifestations of trauma.



THINGS YOU SHOULD DO

YOU SHOULD:

- ⊙ When you talk to a survivor, consult their legal advisors so that this interview does not impede any criminal prosecution of perpetrators.
- ⊙ Be mindful and tell them that this piece can be read by lawyers of a suspect or an accused, and they may build their defense around this interview. This will allow them to treat details in a more thoughtful way, and to protect the witnesses of the events from publicity, and do not endanger anyone.
- ⊙ Be a responsible journalist, using a tone of respect, solidarity, attention, and trust. People who survive sexual violence are often in a state where their adrenaline speaks for them. This is the state when someone speaks out to try and end everything as soon as possible, and can be eager to tell all and vent their pain. Understand that while in this state the person cannot themselves fully understand the results of their frankness.
- ⊙ Make sure that such people are not on their own, that they have support, that they have received at least an immediate package of necessary medical and psychological assistance, that they are warm, and that they have water and food.
- ⊙ Suggest that your conversation is recorded on their phone (or you send them your recording) so that they can later listen to the interview themselves, or with someone they trust (e.g. a psychologist or a lawyer). Then they can decide whether they want to make changes, or not to proceed with the story.
- ⊙ Make your questions open-ended. The person will tell you everything they consider necessary and decide for themselves what they are prepared to say. Your job is to listen, and to be attentive. Switch on a safety filter for this person.
- ⊙ Ensure you protect the traumatized person's personal data, and don't use photos or videos that can disclose their identity or location.
- ⊙ Be honest and frank, transparent in your plans. Ask those who survived about their expectations: What do they want to get from their story? What do they want from the media: Protection, information, support, publication, justice?



THINGS YOU SHOULD DO

YOU SHOULD:

- ⊙ Be careful about giving compliments. It's better to avoid this sort of conversation, even if you think that you won't offend someone. It's better to create an atmosphere of trust instead.
- ⊙ Remember that in this dynamic you are a professional journalist, and you are talking to someone who survived a horrible crime. On a personal level, you might sympathize and want to help punish the criminal. But it is your professional duty to not forget about ethics, the standards of your work, your editorial policy, and the protection of the person who shares their pain with you.



CONSENT

If you are using sound or video recording, consider how you can change the person's voice or appearance, and discuss options with them. Be sure to discuss with the person the consequences to the person of using their story.

Get specific agreements for both sound and visual recordings from the person. Survivors of sexual crimes have to feel they are now in control of their lives.

Do not talk to them as though they don't understand your profession, or even as someone who doesn't understand their own life.

Ensure that the person is aware of the consequences of every step of their openness with you. You must warn them of every possible outcome of them sharing their story with you (irrespective of whether they contacted you first or you contacted them).

SOME USEFUL POINTS FOR THIS CONVERSATION INCLUDE:

⊙ *'This piece will be on the Internet. Yes, everything will be anonymous but someone may recognize you. Are you prepared for this? What can we do to avoid this? Let's think this through together.'*

⊙ *'Let's think whether this may harm your family, your child, your nearest and dearest by telling this story in this way. We can change these lines for something else.'*

Suggest options and talk them through with the person.

⊙ *'There are many trolls, bots and others on the Internet looking to do harm. They may post horrible comments under this piece. Are you ready for this? What can we do to minimize this impact?'*

Where possible, moderators should close comments if available on the site.

YOU DON'T HAVE THE RIGHT TO TALK TO A CHILD (ANYONE UNDER 18) WITHOUT PERMISSION OR WITHOUT THE PRESENCE OF A RESPONSIBLE ADULT. IF YOU SENSE THE PRESENCE OF THE ADULT IS NOT TO THE CHILD'S LIKING, TRY TO FIND ANOTHER ADULT, SOMEONE THE CHILD TRUSTS. IDEALLY WORK WITH AN EXPERIENCED PSYCHOLOGIST WHO UNDERSTANDS CHILD SEXUAL TRAUMA. THE SAME RULES APPLY WHEN WORKING WITH CHILDREN WHO WERE WITNESSES TO SEXUAL VIOLENCE.

FINANCES



YOUR MEDIA OUTLET MAY DECIDE TO PAY AN HONORARIUM FOR EXCLUSIVE MATERIAL. THE PERSON WHO SURVIVED VIOLENCE MAY AGREE FINANCIAL TERMS FOR WORKING WITH YOU.

This does not mean that you have bought this person, their body or their feelings. It means you have bought license to tell their story, and not just in the format that you decide best for publication or for more clicks.

It would be better for your media outlet to make a donation to a relevant charity or open an account, for instance, for a relief fund. These things must be agreed with the person.

You must agree consent for everything, including for any contractual relations. If you want to make the person the protagonist of the story, including for a noble goal, you must obtain their consent beforehand.

The person who suffered sexual violence has to know that they are entitled to certain rights, including legal advice, and the right to choose their own lawyer or company to represent their interests.

Sometimes media workers say they will not talk to people who experienced sexual violence, but only to witnesses.

The logic is that the harm is minimal as there is no traumatic interview, but that the story is verified by witnesses. But don't forget that a witness may have their own stereotypical views and prejudices. Check these at the start of the conversation or during the interview.

Please remember that certain adjectives, references to time or place, description of the survivor, or of the situation, given by witnesses, may indicate the identity of someone who survived sexual violence. This may have consequences for their safety and for any investigation.

This is why you must treat all evidence carefully, and be sure to switch on a filter to protect the person's identity.

ILLUSTRATIONS

- ⊙ Do not use photos of children at all. Realistic photos may be taken from photo banks but agree this with relatives. Don't manipulate, and don't transform violence into glamour.
- ⊙ Photos of "victims" from photo banks should not be used (women with bruises, a man's raised hand, etc.). It's better to use illustrations or infographics. For instance, use paintings by contemporary Ukrainian artists and illustrators.
- ⊙ Your own attitude to the survivor and to the story itself should be expressed in an extremely cautious way. Empathy, sensitivity, and respect for human dignity should be displayed towards anyone who has experienced violence.



WHAT YOU NEED TO KNOW

SEXUAL VIOLENCE

What is sexual violence, why is sexual violence torture? Why sexual violence is not only rape, what are other forms?

TRAUMA

What is trauma? What is an emotional response to a terrible event like an accident, rape, or natural disaster.

CHILDREN

How to talk to children who have experienced sexual violence, or are witnesses to sexual violence.

MEN & BOYS

How to talk to men and boys who experienced sexual violence.

CONFIDENTIALITY

What is personal data protection?

THE MURAD CODE



THE MURAD CODE IS A GLOBAL VOLUNTARY CODE OF BEHAVIOR FOR THOSE WHO COLLECT DATA ABOUT THOSE WHO SURVIVED SEXUAL VIOLENCE BECAUSE OF A CONFLICT.

Nadia Murad is an Iraqi human rights activist of Yazidi origin, a Nobel Peace Prize winner 2018, along with the Congolese doctor, Denis Mukwege. After Kocho was captured by ISIS in August 2014, Nadia became a victim of persecution of Yazidis by Islamists.

With other girls, she was deported and found herself in sexual slavery. She was kept in the city of Mosul from where she tried and failed to escape. For this reason, she was tortured. She had been re-sold into slavery several times. After her liberation from slavery, Murad became an activist. She is now fighting human trafficking and military rape.

Next follow important excerpts from the Murad Code project that may help while getting ready for the interview:

- ✓ The interview's safe structure: We guarantee that our interview has a safe and sensitive structure. We try to combine sexual violence with broader experience and we will not concentrate, research or extract only clear or evident details of sexual violence from the person who suffered.

What does this mean? Tell them what the piece will be about, who else you will talk to, what is the purpose of this piece, what sexual violence means to you.

- ✓ Open-ended questions: We will use open-ended questions and correlate the tempo and the tone of our questions. Recognizing the potential harmful impact of closed-ended or leading questions on the affected person, we will limit the use of such questions to exceptional circumstances.

What does this mean? We will watch how the person feels. We will tell them that they may take a pause or that we need a pause. We may say that they have the right to not answer the questions, ask questions to us or ask not to talk about this altogether.

- ✓ Safe completion: We will find the time to complete the interview in a safe and careful way, bring the victim back to the present time, thank them for the time they allotted to us, for bravery, for the trust they displayed when telling us their story. We will discuss further actions with the victim, how we remain in contact, and the possibility of making changes and voicing objections. We are prepared to answer any question.

DOWNLOAD PROTOCOL

Other resources include the **International Protocol on the Documentation and Investigation of Sexual Violence in Conflict**, a lengthy UN guide on Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law, which includes advice on understanding trauma and documenting sexual violence.



Download link:

https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International_Protocol_2017_2nd_Edition.pdf

AND DON'T FORGET TO TAKE CARE OF YOURSELF AFTER YOUR WORK ON THESE ISSUES. WATCH YOUR BREATHING, PULSE, HOW YOU REACT TO QUESTIONS AND EVENTS, YOUR SLEEP, AND NOURISHMENT. TAKE CARE AND CONTROL OF YOURSELF, OF YOUR BODY. YOU ARE STORING PAIN, AND IT IS IMPORTANT NOT TO FORGET THAT WHEN YOU ARE ENTRUSTED WITH TRAUMA, THIS IS PAINFUL FOR YOU AS WELL.

