

ETHICAL GUIDELINES: USING EYEWITNESS VIDEOS IN HUMAN RIGHTS REPORTING & ADVOCACY

INTRODUCTION

Eyewitness video footage may provide valuable documentation of human rights violations. In some cases, these videos are the only visual documentation of abuse, and can provide critical answers to questions surrounding a story or an investigation.

Yet deciding if and how to share the footage publicly is rarely a simple process. Some eyewitness videos have the potential to put individuals and communities at greater risk of harm if shared widely or misused. Many videos found online were never meant to be public in the first place. Others were taken with the intent to cause fear, inflict harm, or incite violence.

These videos raise the question for journalists, human rights advocates, documentarians, and investigators: How can we apply the principles of safe and ethical human rights practices—including a commitment to respect human dignity, empower affected communities, and minimize harm—when presented with visual documentation that we ourselves did not collect?

While technology makes it easy to link to a YouTube video in an online report, embed it in an article, or edit numerous clips into a video montage or documentary film, you want to consider the implications of doing so for those involved in the video and the issue it documents.

Below are principles to guide the ethical curation of eyewitness videos, as well as tools, resources, and examples of how to approach ethical challenges. The guide is divided by responsibilities to three stakeholders of video footage:

- I. the individuals filmed;
- II. the video creators; and
- III. the audience.

ABOUT THIS GUIDE

The guide's primary audience is investigators, journalists, advocates, archivists, and others who utilize eyewitness video for reporting, investigating, or documenting human rights issues. While the guide is primarily concerned with videos already produced, many of the ethical considerations discussed are also applicable to the broadcast and curation of live streaming footage.

Finally, this guide is just that. Deciding if and how to curate eyewitness videos is rarely an easy process. At times, you may find two or more of the ethical considerations outlined below in conflict, and will have to use your professional judgment to make the best of an imperfect decision. The way you do so may depend on your own expertise, field of work, and objectives. We hope that the guidance and examples herein will support you in making those difficult decisions, and we welcome your feedback to help us update and improve these guidelines.

SHARING

KEY DEFINITIONS

Eyewitness Video

This guide refers to “eyewitness video” to describe videos taken by individuals at the scene of an incident. These videos are often shot by average bystanders, sometimes by activists, and sometimes by victims, survivors, or perpetrators of abuse themselves. Eyewitness videos usually reach investigators or the news media via online platforms like YouTube, Facebook, or Twitter. Other times, they are sent from a source to investigators via email, chat applications, or another form of communication, or found on the computer or cell phone of the filmer. What they have in common is that you, the viewer—the reporter, investigator, filmmaker, or advocate assessing the footage—were not involved in the filming process. Hence, you have a number of questions about the video, its authenticity, intent, and context. This type of footage is also commonly referred to by the terms “user-generated content,” “UGC,” “open-source video,” or “citizen video.”

Curation

This guide addresses the curation of eyewitness video, by which we mean methods of **publicly sharing and contextualizing eyewitness videos or the information contained in them**. That could take the form of a hyperlink to a YouTube URL in a human rights report, a documentary film that includes clips from eyewitness videos, a blog that embeds relevant online videos, an article reporting on the issue documented in the footage, an interactive map placing videos by location, or other means of sharing eyewitness footage in the public domain.

Curation vs. Preservation

The process of **curation** is distinct from **preserving** footage for potential use in a specific legal or advocacy context. Thus, when we advise, for instance, to edit a video to blur faces, this guidance is targeted toward the public sharing of the video. Human rights advocates will want to keep an archived copy of the original footage for potential use to share with a select audience, such as with local prosecutors.

In fact, we recommend that as a first step, those working with footage that may provide valuable documentation should save and archive a copy of the video. Many online videos of human rights abuse are removed from websites for a myriad of reasons, including violation of terms of service of online platforms. Whether or not you plan to curate the video for a public audience, saving a copy will ensure preservation of the visual documentation it provides is preserved.

For more archiving resources, see the [Activists’ Guide to Archiving Video](#).¹

I. RESPONSIBILITY TO INDIVIDUALS FILMED

PRINCIPLES OF ETHICAL DOCUMENTATION

In the fields of human rights, journalism and documentary filmmaking, there is a tradition of ethical practices generally aligned with the desire to “minimize harm” to the subjects of reportage. These practices include obtaining the informed consent of individuals interviewed and filmed and assessing the potential risks involved in documenting and sharing their stories.

Curators not involved in a video’s production have a more difficult time assessing whether individuals gave their consent to be filmed, and if sharing the video could cause them harm. This section addresses the risk of harm to individuals and communities filmed in eyewitness footage, and provides strategies to help assess, weigh, and address those risks. First, we review some of the main concepts behind ethical documentation.

CONSENT

Obtaining the informed consent of an individual to record and publish his or her image and story is key to responsible and ethical documentation. Some people choose to keep their lives or experiences private, or to share their stories anonymously, for personal reasons or due to security concerns.

Informed consent involves an understanding by the individuals filmed of the purpose and potential audience of the video, as well as the risks involved in appearing in it. By granting consent to be filmed, an individual is deciding to participate and to assume the potential risks that may be involved. That decision is not necessarily permanent; someone who grants consent may regret that decision after further reflection, or due to changing security risks. It is important to respect the fact that an individual’s decision around consent may evolve over time.

While the practice of obtaining informed consent has a long tradition in human rights, journalism, and documentary filmmaking, individuals outside of those professions are often unaware of the concept, or do not have the opportunity to ask for consent from the individuals they film. Some videos are recorded without subjects aware they are on camera. In the case of certain human rights videos, the filmer is also the perpetrator, and exposing the victim’s identity is part of the abuse itself. (See section on Perpetrator Footage on page 9.)

INTENDED AUDIENCE AND USAGE

Not all eyewitness footage found online was created and uploaded with the intent of being shared in the public domain. The subject may have consented to the recording for a specific and limited audience, but not for widespread circulation.

Consider the case of the [2014 hacking of Hollywood celebrities’ online accounts](#)² to obtain nude photos. After celebrities’ private online accounts were illegally broken into, many of their private photos became publicly available online and were widely shared. But this was clearly not the celebrities’ intention for the footage: their original consent was given only for a specific audience and purpose. More generally, individuals often share information on Facebook or Twitter with the understanding that only their limited number of friends or followers will see it, or without a clear comprehension of privacy settings that determine who can see information they share on their social media accounts.

SHARING

FOR MORE
INFORMATION

Get tips on obtaining
informed consent
at
[bit.ly/Tips_](https://bit.ly/Tips_InformedConsent)
[InformedConsent](https://bit.ly/Tips_InformedConsent)

SAFETY, DIGNITY & PRIVACY

Inherent in video's power to convey an individual story is the potential for a video to impact the safety, dignity, and privacy of individuals and communities captured in the footage. A video of sexual assault, for example, has the potential to shame, re-victimize, and endanger the abused individual. Widely circulated footage of human rights defenders could make them targets of arrest or violence by repressive governments. Testimony of a police officer describing corruption among his superiors could put that officer at risk of losing his job or worse.

Keep in mind that there may be people beyond those identified on camera who are put at risk from the release of footage. For example, if one individual is captured on camera at a meeting, it could be inferred that the individual's colleagues are also there. If an individual is filmed speaking out against local officials, that person's entire family could be in danger of retribution. An individual's on-camera testimony could include the naming of other people and their locations.

Potential harm also applies to perpetrators of abuse who may be caught on camera. This point is especially important for human rights groups that advocate for a fair trial or don't want to put alleged perpetrators at risk of torture.

PROFESSIONAL JUDGMENT

In the absence of clear indicators of informed consent in a video, a curator must make a professional judgment about whether using that footage could violate the consent, privacy, or dignity of the individuals or communities filmed, or otherwise put them at risk of harm. Take the following steps to make an informed assessment of the potential risks to those filmed. Then weigh the different factors to decide how to curate the footage while minimizing those risks.

STEP 1

ASSESS CONSENT

Certain visual clues can help a viewer assess whether individual subjects consented to the recording.

Questions to consider:

- Was the video recorded in a public or private setting?
- Does the subject appear aware of the camera?

In assessing the subject's agency in giving his or her consent to be filmed, be particularly sensitive to vulnerable populations such as prisoners, children, and the mentally impaired, as they may not be fully cognizant of the risks of being on video or possess the autonomy to decide whether or not to do so.

However, even if visual clues can suggest whether those filmed in eyewitness footage are aware of being on camera or willing to be filmed, it is nearly impossible to assess with certainty whether they gave their *informed consent* to the recording. For instance, if the video was filmed in a crowded public space such as a protest or violent altercation, they may have lacked the ability to "opt-out" of being filmed. They may have had no way to know whether and to what extent those recordings would be distributed, to whom, and for what purposes.

STEP 2

ASSESS INTENDED AUDIENCE

Informed consent depends on an understanding of the purpose and audience of the footage. If a person granted informed consent to the original recording, that consent does not carry over to unanticipated future uses. For instance, a prisoner may consent to a recording taken in his jail cell for use in a human rights report, but not for that same footage to be used for entertainment purposes.

When considering the consent of individuals to share their images, identities, and stories, ask:

- Was consent given with the understanding that it would be shared for a particular audience and/or use?
- How would increased exposure to the footage impact the privacy, dignity, and security of those involved in the video?
- What about the way it is presented with other videos or information?
- Would the individuals filmed consent to the use you intend to make of the video?

Do not assume that because your organization or publication targets a specific audience, the footage you curate will not circulate around the world online and make it back to the community of those filmed. (See the “From the Expert” section on page 10 for the International Committee of the Red Cross’s guidance on handling sensitive information in the public domain.)

STEP 3

ASSESS RISKS

Consider what harm could result from sharing footage publicly. Keep in mind that notions of privacy and risks of violence, social marginalization, and repression are not uniform from one society or culture to the next. In the US, for example, there is a general understanding that “public” events such as protests are fair game for documentation. In other countries, however, protesters take steps to ensure their identities are private so as to avoid targeted repression for activism. Consult with someone sensitive to the social norms and security situation of the community where the recording takes place to gauge the potential that sharing the footage would violate individual privacy or put people or communities at risk.

STEP 4

WEIGH CONFLICTING INTERESTS

When advocates, journalists, and crisis responders document a human rights or humanitarian issue, it is generally out of concern for the “public interest”—the belief that it is in the public’s interest to expose a crime or serious misdemeanor, protect public health and safety, and contribute to an informed and engaged citizenry. Video can be a powerful tool to expose issues of public interest and motivate change.

However, there is a constant tension between this motivation to expose abuse and considerations of consent, security, and dignity. For instance, one may be shocked to see a video of prison torture and tempted to broadcast it on the news before considering the impact of that video on the victims of abuse. (See the example from Malaysia in the “Perpetrator Videos” section on page 9.)

Consider the principles outlined above to weigh what are often conflicting human rights values. Here are a few examples illustrating how those values can clash:

- **Public interest vs. individual risk.** Though exposing injustice has great potential for public good, there may be security risks involved for individuals who choose to speak out on-camera. Subjects should understand those risks and have consented to take them on, due to their belief in the potential benefit of sharing their story.
- **Public interest vs. rights of the accused.** This is often at issue in videos that expose the identities of perpetrators of abuse. Some human rights organizations blur the faces of perpetrators to protect their safety and ensure their right to a fair trial, but others choose to expose their identities to hold perpetrators accountable for their actions and put pressure on society to bring them to justice.
- **Public interest vs. individual dignity.** While it may violate an individual’s dignity to expose his or her abuse, it could also result in greater advocacy for a victim when that individual is known rather than nameless. For instance, when a video emerged documenting police torture of detainees in Fiji, the mother of one of the victims was able to identify her son and advocate for justice.³

The responsibility of the curator is to use his or her professional judgment to weigh the intended social good of exposing human rights abuse with the potential risks involved in sharing eyewitness videos, especially ones in which the individuals filmed may not have given their informed consent to the recording. Strive for a balance that minimizes the likelihood that the video will cause unanticipated harm, especially for those who remain in vulnerable situations after the video is shown or distributed. See below for ways to expose abuse while minimizing risk.

CREATE STANDARDS

Create standards within your organization to guide how you handle footage, and make sure your team clearly understands them before they are put to the test. Are there situations in which you would share videos without receiving the informed consent of the individuals filmed? Will you always blur faces of victims of abuse in eyewitness videos? Will you blur faces of perpetrators? When will you choose not to broadcast, embed, or link to eyewitness footage?

Create your own checklist of questions to be asked to determine whether and how to distribute footage, or use the checklist provided at the end of this guide.

HOW TO MINIMIZE HARM WHILE EXPOSING ABUSE

Just because footage of abuse exists doesn't mean it must be shared publicly, if doing so could potentially cause harm to the individuals filmed. You can choose not to show the footage, and instead provide your audience with a description of it. Alternatively, you can choose to obscure identities before sharing a video:

ANONYMIZING INDIVIDUALS

There are several factors to consider when you want to keep an individual's identity private. Check each of the following to make sure all identifying information has been removed:

- **Facial and Vocal Recognition.** Use a video editor or [YouTube's face blur tool](#)⁴ to blur faces. Make sure they are blurred enough to be unrecognizable and in such a way that the visual information cannot be reconstructed. If voices would also reveal an at-risk individual's identity, use an audio editor to disguise the voice.
- **Other Clues.** Check that clothing, tattoos, testimony, and other audio or visual information in the footage does not reveal identifying information such as names, titles, license plates, or addresses.
- **Metadata.** If there is metadata attached to the footage that would reveal where it was recorded, or by whom, that could also put individuals at risk. Make sure that when you share the video publicly, you do so in a way that does not reveal this identifying information. This may include limiting the use or sharing of related social media posts that could expose someone's identity or location. For example, retweeting or reposting a message containing a video on Twitter or Facebook may unintentionally expose the owner of the account.

In situations where there are multiple subjects (such as a riot), be careful not to unintentionally expose the identity of individuals who are not the focus of your investigation.

NOTABLE EXAMPLES

Example 1: In an [article](#)⁵ about a video that showed one young Syrian child beating another while adults off-camera encouraged the violence, WITNESS shared an edited version of the video that blurs the faces of the children.

Example 2: Amnesty International obtained eyewitness footage of human rights violations committed by members of the Nigerian military. In a [video](#)⁶ report that includes eyewitness clips of beatings and killings, the organization blurred the faces of victims and perpetrators to protect their privacy.

Example 3: In its reporting on a [video of a sexual assault in Cairo](#),⁷ the *New York Times* described the video in text rather than sharing the footage.

FROM THE FIELD

WITNESSES FILM A HOMOPHOBIC ATTACK

One video from Jamaica illustrates several of these concerns. The video documents the beating of a young man, presumed to be gay, by security guards in a college classroom while a crowd watches and films through the windows. While the video documents abuse, publicly distributing the raw video is problematic for a number of reasons:

- **Consent.** The victim was not in a position to consent to the recording.
- **Dignity & Re-victimization.** The distribution of the video could cause him to relive a traumatic experience many times over.
- **Security.** In Jamaica, as in many parts of the world, the perception that an individual is gay can lead to targeted violence. The distribution of this footage could lead to the victim being perceived as gay (whether he is or not) and put him at risk of further harm.

Though the eyewitness video could be found online, local broadcasters made the ethical decision to blur the victim's face when showing the footage on television. While this response addresses some of the aspects of the potential harm involved in the video's distribution, it is an imperfect decision. The victim still had to endure his experience being played out on national television, even if his identity was kept private. The news networks weighed the potential harm of broadcasting the video with the news value of exposing homophobic violence on the university campus, and made the professional judgment to expose the abuse while minimizing harm.



SHARING

TAKE HOME POINT

While eyewitness video can expose abuse, it can also put victims at risk of further harm. In this case, local media reported on the attack by broadcasting an edited version of the video that maintained the victim's privacy and thus minimized the risk of further harm.

PERPETRATOR VIDEOS

Many videos documenting human rights abuse are filmed by perpetrators themselves, presenting a unique challenge for journalists and human rights advocates interested in reporting on the violations without furthering the objectives of the abusers. Here are a few examples:

- In Malaysia, police officers filmed detainee abuse⁸ on their cellphones and shared the footage among themselves. When the videos became public in 2005, they showed female detainees forced to strip naked and squat, as well as enduring other indignities and abuse.
- In a hate campaign in Russia,⁹ perpetrators used online dating sites to lure gay youth to a meeting place, where they harassed and abused their victims. They filmed the attacks, taunting each victim with the threat that he would be outed to his family and community, and shared the videos on social networks.
- Violent videos have become a popular tool for terrorist groups such as Al-Qaeda and the Islamic State. Their videos of hostages and executions are intended to cause fear, energize supporters, and raise money.

As always, it is helpful to question the intent of the filmers or uploaders. Ask yourself:

- Was the video created to spark fear?
- To dehumanize an individual or community?
- To glamorize violence and recruit new members to an organization?
- To entertain the abusers themselves and share tactics among one another?
- To confuse or mislead the viewing public?
- Was the video part of the abuse itself, as in the example from Russia?

SHARING

In many of these cases, such as execution and hostage videos, the footage may provide important information for an investigation or a developing news story. In others, such as those of the abuse of Malaysian detainees, the footage may provide evidence of abuse that can lead to a public debate and contribute to efforts for justice and accountability.

However, one challenge in using perpetrator videos to expose abuse is the re-victimization of the subjects. Not only is the victim unable to consent to the recording he or she is documented in a vulnerable and often dehumanizing situation. Publicly sharing such an event can cause psychological trauma. By exposing their identities, videos can also put the affected at risk of further discrimination and abuse.

When the footage from Malaysian prisons aired on local television, one of the survivors, by then released and at home, recognized herself on screen. “I was surprised and angry and embarrassed all over again,” she told the *Washington Post*.¹⁰ Even though she was glad the videos brought the abuse to the public’s attention, she asked that people stop circulating them.¹¹

When an eyewitness video could potentially harm the individuals or communities filmed, take steps to minimize that risk when reporting on the abuse. For example, when Human Rights Watch reported about targeted abuse of LGBT individuals in Russia, it produced a video¹² using clips of perpetrator footage in which the faces of the abused men were blurred to keep their identities private. Many newspapers report on hostage and execution videos without sharing or linking to the videos so as to avoid complicity in the political or financial objectives of the hostage-takers.

FROM AN EXPERT MANAGING SENSITIVE INFORMATION

In their publication *Professional Standards for Protection Work*, the International Committee of the Red Cross (ICRC) provides standards and guidelines for human rights and humanitarian agencies managing sensitive information in areas of armed conflict and other violent environments. Though they are intended primarily for human rights and humanitarian agencies, the guidelines are relevant for many other actors and situations as well. They include the following advice about using personal information obtained from the Internet:

It is often very difficult or even impossible to identify the original source of the information found on the Internet and to ascertain whether the information obtained has been collected fairly/lawfully with the informed consent of the persons to whom this data relates. In other words, personal data accessible on the Internet is not always there as a result of a conscious choice of the individuals concerned to share information in the public domain.

The fact that information is retrievable does not mean that it was necessarily meant to be “public” in the first place... One has the duty to verify the consent of the person whose data is to be used. When such consent cannot be realistically obtained, information allowing the identification of victims or witnesses should only be relayed in the public domain if the expected protection outcome clearly outweighs the risks. In case of doubt, displaying only aggregated data, with no individual markers, is strongly recommended.

- From the ICRC's *Professional Standards for Protection Work*,¹³ page 96.

SHARING



II. RESPONSIBILITY TO THE FILMER

Curating eyewitness video gives new context to someone else's content. This section addresses the ethical considerations of doing that, including crediting the source, addressing the safety of the filmer and distributor, and providing transparency around their objectives.

FINDING THE SOURCE

Many filmmakers document human rights issues intentionally as professionals, citizen journalists, or activists who share the footage on their personal or institutional channels and social media accounts. In other cases, footage taken by an eyewitness is shared anonymously due to the particular dangers they face. Perpetrator footage is often uploaded to the group's own communication channels to show off their abuse; other times it is leaked by a whistleblower who takes steps to remain anonymous.

Considering the various ways eyewitness footage is shared online, you cannot assume that the person who uploaded a video on social media is the same person who filmed it. Further complicating the issue, there are often several online versions of the same footage.

To begin to consider the potential ethical and safety concerns regarding a video's source, you must first determine who that source is. Who originally filmed the video? Who distributed it? Was it the same person? Different people within a team? Different people with differing objectives?

You may not be able to answer all of these questions with certainty, but asking them can help you assess the original intent of the footage and potential security risks involved in sharing it. Examining the source's identity will also allow you to provide your audience with the context needed to assess the video's substance.

CONSIDER THE SOURCE'S SAFETY

Eyewitnesses in Risky Situations

In conflict situations or breaking news events, there may be eyewitnesses at the scene who take footage and share it on social media. If you are in contact with such filmmakers, prioritize their safety over a desire for footage they could gather. (See "From An Expert: Keeping Eyewitnesses Safe" on page 12 for guidance on communicating with eyewitnesses in such a situation.)

Anonymous Filmers

There are occasions when the filmer and/or uploader of a video will want to remain anonymous due to security concerns. In places where journalists and activists work under grave risks, citizen media outlets often distribute videos taken by a network of filmmakers, whose individual identities remain anonymous. In a different scenario, a whistleblower may leak footage showing crimes committed by colleagues, and the uploader's identity is intentionally kept private to prevent retribution.

If you are dealing with footage in which the filmer or distributor could be at risk for exposing abuse and has taken steps to remain anonymous, make sure to protect the source's anonymity. Does the footage contain metadata—technical or descriptive information embedded in the video file—that could identify the source or his or her location? Does the platform the video is hosted on reveal identifying information about the source, and if so, is the source aware of that? If you learn the source's identity in researching the video, assess the risk to the filmer if that identity is publicly revealed. If you are in contact with the filmer, consider encrypting your emails and chats.

SHARING

FOR MORE INFORMATION

Learn about secure online communication from the Electronic Frontier Foundation's "Surveillance Self-Defense" website at bit.ly/EFF_SurveillanceDefense

FROM AN EXPERT

KEEPING EYEWITNESSES SAFE

Online News Association

The Online News Association's *Build Your Own Ethics Code* was created by a team of journalists in 2014 by a team of journalists to help newsrooms and reporters address ethical challenges in modern journalism. The guide includes the following tips for minimizing risks to citizen journalists:

- **Stay safe.** When a journalist is communicating with a member of the public who's in a dangerous place—such as the scene of a crime or disaster or a war zone—the journalist should urge the member of the public to stay safe. Non-professional journalists should never be asked to gather content in a dangerous place.
- **Sometimes, don't even ask.** News organizations need to consider when simply contacting a member of the public in search of UGC might put them in danger, because it might reveal their presence on the scene, or because the simple act of communicating might distract them from staying safe. Sometimes it's best to wait until after the danger has passed.
- **Be sensitive.** Be considerate about the citizen journalist's emotional state. Remember that you might be telling someone alarming information for the first time when you reach out. And be particularly sensitive when communicating with members of the public who have just suffered a significant personal loss—and consider whether you should be reaching out for UGC at all in this situation.

- Excerpted from the Online News Association's *Build Your Own Ethics Code*, section on "User-Generated Content,"¹⁴ compiled by AP social media editor, Eric Carvin.

Tow Center for Digital Journalism

In 2014, the Tow Center for Digital Journalism published a major report¹⁵ on the use of user-generated content by broadcast news outlets around the world. The researchers found that, for the most part, news outlets must do a better job seeking permission from citizen journalists to use their footage. In some regions, though, news organizations have found that contacting citizen journalists to seek their permission could actually put them at greater risk. The report states:

There was certainly an understanding...that, when working with uploaders from certain countries, not seeking permission is the right thing to do. One BBC journalist working on a photo gallery from Iran told us, "As someone from the BBC it really raises a person's profile if they've posted the image, by me saying, 'Hello, can I use it? I'm from the BBC.' So in that instance the Persian service advised that it's better to just use it.

- Excerpted from *Amateur Footage: A Global Study of User-Generated Content*,¹⁶ Chapter 12.1.

ANONYMITY VS. VERIFICATION

Many videos that document human rights issues could endanger the filmer or distributor if their identity is revealed. This poses a challenge for investigators or reporters attempting to verify that the footage is authentic and from a reliable source. There are a growing number of tools and methods to verify the authenticity of a video but in some cases, there is simply not enough information to verify when and where the footage was filmed and if it is authentic documentation—i.e., not staged or created to deceive viewers.

In these cases, you must use professional judgment to decide whether and how to share the footage. Curating a video that later turns out to have been manipulated or misinterpreted could compromise your integrity and cast a shadow of doubt over authentic eyewitness videos. Worse, spreading false information—even unintentionally—could spark fear or violence, and have grave consequences for the individuals involved. It is important to understand how easy it is to distribute false or manipulated footage and dupe the viewing public. According to Mark Little, founder of the social media news agency Storyful, the organization “has seen multiple examples of political groups creating videos which create hoax abuses allegedly committed by opponents.”

When faced with footage that you cannot verify as authentic, ask the following questions:

- Are there other videos or reports that document the event that *are* verifiable?
- Is there a reason the people behind this video would want to deceive viewers?
- Is it possible you made a false assumption about the video and the motives behind it?

If you decide the video merits being included in your report, be clear to your audience what you do and do not know about it, and give your viewers a means by which to respond. It may turn out that, once footage has been shared with a wider audience, viewers can help answer lingering questions about the video. Don't forget to consider the safety, dignity, and consent of the individuals filmed.

SHARING

**FOR MORE
INFORMATION**

Find more resources for
verifying online video at:
[lab.witness.org/
verification](http://lab.witness.org/verification)

NOTABLE EXAMPLES SHARING UNVERIFIED FOOTAGE

The following examples are cases in which news media and/or advocacy organizations reported on online videos despite unanswered questions regarding what, exactly, they documented.

Example 1: In 2013, an online video generated controversy and press attention in South Korea and beyond. The video appeared to show two Caucasian men harassing a Korean woman at a Seoul club. Though the identity of the individuals on-camera and the context in which the circumstances in which video was made were unknown, the video and the controversy surrounding it was covered in the *Washington Post*.¹⁷ In response, the men involved in the video reached out to the reporter to explain that the video had been misinterpreted. It was shot as part of an experimental film¹⁸ and everyone in it was a willing participant. They shared more footage and pictures from the scene to prove their explanation of the video's context. The *Washington Post* published a follow-up article with the updated information.

Example 2: A video that emerged online in early 2013 appeared to show the torture of two men by Fijian police officers. While the source, exact location, and date of the recording was unknown, the video was covered¹⁹ in local and international media, sparking a response from Amnesty International and the United Nations. This led to an internal investigation of the police department, and to the mother of one of the victims identifying her son in the video and pledging to fight for justice.

ACKNOWLEDGING THE VIDEO'S SOURCE

WHY

Occasionally, filmmakers will keep their identity private for security concerns, but in most cases they will, filmmakers identify themselves and expect to be asked for permission and given credit when their footage is used by others.

Whether the filmmaker is identified, anonymous, or unknown, sharing relevant information about the video's source with your audience is important for three main reasons:

- 1) **Ethical responsibility to content creators.** Whether footage is taken by a citizen journalist or by a professional reporter, photojournalist, or news organization, content creators expect to be credited for their work and, depending on the legal jurisdiction, may have a legal right to control its use and distribution. Also, while many individuals share their personal photos and videos publicly on YouTube or social media, they do not necessarily expect or desire the larger audience that would result from their footage being distributed more widely. The Eyewitness Media Hub, which studies the use of eyewitness media by news outlets, has documented several cases²⁰ in which citizen journalists have expressed frustration that their footage was used in the news without permission or attribution.
- 2) **Transparency.** Eyewitness video, by definition, is created by people outside of your organization. They may not be concerned with objective documentation, and may have political agendas or biases. Your audience deserves to know whose perspective is framing this particular version of events, as that context can be critical to understanding what is—and isn't—documented, and why. Think of the footage as a quote a source gives to a reporter. The reporter either names the source or, if there are valid reasons to maintain the source's anonymity, explains those reasons and describes the source's perspective and why the reporter considers that source credible.
- 3) **Chain of Custody.** Chain of custody refers to the chronological succession of ownership or custody of the video. Documenting the chain of custody of the footage you curate will help human rights investigators, filmmakers, historians, or others who may be interested in that footage track down the original video. If the footage turns out to be useful for a criminal investigation, for example, having an unbroken chain of custody can be critical in demonstrating that the footage is authentic.

HOW

There are several ways to acknowledge the original filmmaker and/or uploader of a video. Which you choose depends on what medium you are working in, how much you know about the video, and whether you intend to share the entire video or only portions of it, or to merely report on the information in the video. It also depends on whether there are potential risks involved in revealing the source's identity. Here are some options:

- Embed or link to the online video uploaded by the original source. In this case, be aware that the link could become invalid at a later date, or the video could be removed or its privacy settings changed. (See the section "Curation vs. Preservation" on page 3.)
- State the name of the filmmaker or organization and provide context about who they are (e.g., a political group critical of the ruling party, an independent journalist who contributes to the local paper, a local resident who was at the scene). Describing the video's source as simply "the Internet" or "YouTube" is neither ethical nor informative.
- If you are unable to determine precise particular information about the source, or have decided for security or privacy reasons to maintain the source's anonymity, describe for your audience how the video was found, why you believe it to be authentic, and any relevant unanswered questions you may have about the source.

A NOTE ON LEGAL CONCERNS

The guidance above solely regards the ethics of curating eyewitness video for documentation purposes, not the legality of doing so. Scraping and re-sharing a video, or creating a new piece of footage from the original source, may be subject to local laws addressing copyright, libel, and other related issues.

NOTABLE EXAMPLES REFERENCING THE SOURCE OF EYEWITNESS FOOTAGE

Example 1: For a video montage compiling eyewitness footage of human rights issues from around the world, WITNESS included a link in the [YouTube video](#)²¹ description to a [document](#)²² that lists the URLs of each of the YouTube videos used in the montage. Viewers who want to know more about any particular clip or where it originated can go to the source.

Example 2: The YouTube channel [Syrian4all World](#)²³ adds English descriptions and subtitles to citizen videos of the war in Syria. In the description of each video on the channel, viewers are provided with a link to the original YouTube video.

Example 3: The New York Times project [“Watching Syria’s War,”](#)²⁴ curates online videos of the war in Syria. The website embeds YouTube videos from various Syrian citizen-media channels and provides context for each video in sections including, “What We Know,” “What We Don’t Know,” and “Other Videos.” For example, in the “What We Don’t Know” section for a video described as showing protesters running from shots fired by Islamic State fighters, the “What We Don’t Know” section states:

We do not know the identities of the people shown in this video, nor do we know the identity or political beliefs of the cameraman. We cannot see the gunmen who are firing the shots heard in this video, so we cannot verify claims that they are members of the Islamic State in Iraq and Syria.

- From [“Watching Syria’s War”](#)

FROM THE FIELD

TWO DIFFERENT DESCRIPTIONS OF A VIDEO AND LACK OF CREDIT LEAVE VIEWERS CONFUSED

During the war in Gaza in July of 2014, Palestinians and Israelis documented the conflict and shared their footage online. Also widely disseminated was false footage—images filmed in totally different violent conflicts but described as showing the current war in Gaza. These images were intended to incite hatred or violence toward one side of the conflict or the other.

One eyewitness video, showing a rocket interrupting an Israeli wedding, was broadcast on NBC²⁵ and several other international news outlets and described as taking place in Holon. The same clip was uploaded to the YouTube channel of the Israel Defense Force (IDF),²⁶ which described the scene as taking place in Ashdod, an Israeli city twenty miles from Holon.

Neither the media nor the IDF explained how the footage was found or who filmed it. Some news outlets credited the video to “Arakelians Vartan,” but it is unclear who or what that source is. Is that the name of the original filmer? A wedding guest? The online alias of the first person to upload the footage? None of the outlets link to the original source or contain further context with which to understand the video. Because the video was shared by the propaganda wing of the Israeli military during a violent conflict, one must wonder whether it is authentic or was created and shared to support the IDF’s military campaign. Yet because neither the IDF nor the news outlets provided transparency for viewers, it was impossible for a viewer to determine the true context of the footage.



III. RESPONSIBILITY TO THE AUDIENCE

This section covers additional ways of providing your audience with context as part of responsible and ethical video curation. This includes ensuring that the curation is truthful, that it does not provide a platform for hateful views or malicious reports, and that it respects the emotional and psychological capacity of the audience.

CURATE RESPONSIBLY BY PROVIDING CONTEXT

Curating eyewitness footage consists of adding context so that the audience can better understand what they are viewing. This context may take the form of a montage of clips pertaining to one particular situation, or an interactive timeline, map, or other non-linear selection of videos. It could also comprise text about the scene filmed.

The following principles are essential for responsible curation:

1) Truth in Curation

The curator should ensure that choices made in curation—in placing information and media next to each other—do not fundamentally distort an underlying reality. Ask yourself or your team:

- Does the juxtaposition of clips create a false equivalency?
- Does it imply a connection that did not previously exist?
- Does it erase context from the original clip pertinent to understanding its meaning?
- Does it provide the audience with enough information about why and how the featured clips were selected?

2) Curation of Videos by Hate Groups

As discussed elsewhere in this guide, some videos are made to propagate hate, fear, false rumors, or stereotypes. Consider whether the videos you curate have been produced or distributed with such an objective. If so, take steps to ensure that you are not providing a platform for hateful beliefs or false rumors. Provide your audience with information about the objectives of the video.

3) Transparent Objective

Finally, what is your objective in curating videos? There are a variety of purposes of curation—advocacy, journalism, justice, community organizing, etc. Many of the judgment calls you make in curating footage will depend on your own perspective and the purpose of your project. Provide context and explanations for your audience about the choices that were made so that the audience can best understand why certain clips and videos are included and others are not.

FROM THE FIELD

A MONTAGE OF CLIPS OUT OF CONTEXT REDUCES FOOTAGE TO “VIOLENCE WALLPAPER”

In September, 2013, the news network [Al Arabiya](#)²⁷ reported on a massacre at a camp of Iranian exiles in Iraq. Its coverage included a video “posted on the Internet” which it described as showing “suspected Iraqi military forces brutally assaulting a camp in Iraq occupied by Iranian dissidents, killing dozens of them.” But the video was comprised of a compilation of clips, clearly taken from different cameras and possibly from different contexts. At least one of the clips has been identified in [another video](#)²⁸ (WARNING: graphic content), described as showing a massacre at the same camp, two and a half years earlier.

There are several problems with the use of this video. First of all, Al Arabiya did not sufficiently verify that the video is of the same event reported on in the story. Secondly, by describing the source of the video with the vague term of “on the Internet” without more detail about who posted the video and where, the audience doesn’t know who posted the video and for what reason. Finally, by posting a video that is made up of several different clips of brutal violence, at least one of which is from a different context than the story reported on, Al Arabiya reduces the original footage to mere “violence wallpaper,” offering only generalized images of massacre, devoid of the true reality and specifics of the story at hand and instead standing in as symbolic imagery of a massacre.

A CONTRASTING EXAMPLE

The *New York Times* online feature, “[Watching Syria’s War](#)”²⁹ curates footage of the Syrian conflict, including videos from warring sides of the conflict, and graphic images of violence and death. Collectively, the videos show horrific violence. But the videos are presented individually, with context about the particular scene and source of each featured video. Furthermore, when the site features [particularly graphic footage](#),³⁰ the viewer must click past a warning of the graphic content in order to watch the video.

SHARING

DISTURBING CONTENT

Many eyewitness videos documenting human rights issues are inherently graphic and disturbing, and can be difficult to watch. To witness the abuse of others can cause horror, fear, sadness, and a sense of hopelessness. Cumulative viewing can contribute to compassion fatigue and vicarious trauma.

WHEN & HOW TO CURATE GRAPHIC FOOTAGE

Sensitivities around graphic footage vary across cultures and over time; a viewer is much more likely, for instance, to see graphic footage in Arab news media than on U.S. broadcast news, and thus one could infer that the two audiences have different expectations and sensitivities.

Take steps to curate eyewitness footage in a way that supports your audience's capacity to engage with the information it documents. This includes recognizing when it may not be beneficial to share a particular piece of footage. To make a professional judgment about to decide whether or not to curate a graphic video, ask the following questions:

- Is the graphic content gratuitous?
- Does the video use horror in an attempt to manipulate the emotions of the viewers?

See the box titled "From An Expert" below for more questions to ask to help you determine whether share graphic footage.

The way you curate and contextualize a graphic video can make the difference between viewers seeing it as gratuitous violence or as informative documentation. Do not curate videos to shock, but rather to inform your audience. Providing context about why the video(s) is important and suggesting ways viewers could respond helps ensure that the video contributes to a more informed and engaged audience, rather than leaving viewers emotionally exhausted.

If a video shows graphic images such as a killing, corpses or severely injured people, take steps to warn viewers of the graphic content they are about to see and give them the option to learn about the abuse without being exposed to such images. If the video is included in an online article or blog, consider including a hyperlink that leads to the video and warning readers that the video is graphic, rather than embedding the video within the post, which could result in visitors watching the video before they have seen the warning.

WARNING
GRAPHIC CONTENT

FROM AN EXPERT

WHEN IS IT OK TO SHARE A GRAPHIC VIDEO?

On April 7, 2015, the *New York Times* homepage prominently featured video footage from a bystander's cellphone that showed a police officer shooting and killing a man who was running away from him in North Charleston, South Carolina. The video was edited with text from the *New York Times* introducing the video, warning of its graphic content, and providing subtitles and descriptions to help viewers understand the recorded dialogue.

In a [Poynter Institute article](#),³¹ Al Tompkins, a senior journalism trainer, posed questions about the video to determine whether the *New York Times* was justified in sharing such a graphic video on its homepage. “Is this just an example of gratuitous violence that will attract online clicks and sharing,” Tompkins asked, “or are there solid journalistic reasons to let the public see this video?” Tompkins posed the following questions to make his assessment:

- What do we know, what do we need to know?
- Why is this video newsworthy? What is the journalistic reason for making it public?
- What is the right tone and degree of coverage?
- What alternatives could you consider if you choose not to show the graphic video?

Tompkins concluded that the *New York Times* was justified in publishing the video footage, explaining:

Journalists are in the truth-telling business. Sometimes the truth is hard to watch. But the public has to be able to trust that when police make mistakes, journalists will hold them accountable, just as when the police shoot a suspect out of legitimate fear for their safety, journalists will report that fairly and aggressively too.

ADDITIONAL READING & RESOURCES

ARTICLES

Poynter - "Graphic New York Times Video Seems Justified" by Al Tompkins

<http://www.poynter.org/how-tos/visuals/333613/graphic-new-york-times-video-seems-justified/>

WITNESS - "Abuse by Viral Video: Break the Cycle with Identity Protecting Tools" by Madeleine Bair.

<http://blog.witness.org/2013/08/abuse-by-viral-video-break-the-cycle-with-identity-protecting-tools/>

BBC - "Safety Issues with User-Generated Content" by Trushar Barot on how the BBC considers the authenticity and personal safety of contributors.

<http://www.bbc.co.uk/academy/journalism/article/art20131113144258981>

Storyful - "A Year-Long Mission to Tame the 'Wild West' of Viral Video" by Louise Tierney.

<http://blog.storyful.com/2014/08/06/a-year-long-mission-to-tame-the-wild-west-of-viral-video/#.VbUPAWRVikp>

iRevolutions - "Humanitarianism in the Network Age: Groundbreaking Study" by Patrick Meier.

<http://irevolution.net/2013/04/09/humanitarianism-network-age/>

WITNESS - "Malaysia: Cellphone Video Captures Police Excess" by Sameer Padania.

<http://hub.witness.org/en/node/7690>

Eyewitness Media Hub - "Protecting the Victim's Identity: Should We Do More to Protect the Identity of Victims Featured in Eyewitness Media?" by Sam Dubberley.

<https://medium.com/1st-draft/protecting-the-victim-s-identity-3b7df432ec09>

RESEARCH

Tow Center for Digital Journalism - "Global Study of User-Generated Content in TV and Online News Output" by Claire Wardle, Sam Dubberley and Pete Brown.

<http://towcenter.org/tow-center-launches-amateur-footage-a-global-study-of-user-generated-content-in-tv-and-online-news-output/>

Victoria Law Foundation - "When I Tell My Story, I'm in Charge: Ethical and Effective Storytelling in Advocacy" by Rachel Ball.

http://www.victorialawfoundation.org.au/sites/default/files/attachments/VLF%20-%20CLC%20final%20report%2012-13%20_Final_web.pdf

The Royal Society of Medicine - "Witnessing Images of Extreme Violence: a Psychological Study of Journalists in the Newsroom" by Blaire Audet and Elizabeth Waknine.

<http://shr.sagepub.com/content/5/8/2054270414533323.full>

FURTHER READING & RESOURCES

RESOURCES

Electronic Frontier Foundation - “Surveillance Self-Defense: Communicating with Others.”

<https://ssd.eff.org/en/module/communicating-others>

International Committee of the Red Cross - “Professional Standards for Protection Work Carried out by Humanitarian and Human Rights Actors in Armed Conflict and Other Situations of Violence.”

<https://www.icrc.org/eng/resources/documents/publication/p0999.htm>

WITNESS - *Video for Change: A Guide for Advocacy and Activism.*

<http://library.witness.org/product/video-change-book-all-chapters/>

Online News Association - *Build Your Own Ethics Code.*

<http://journalists.org/resources/build-your-own-ethics-code/>

Society of Professional Journalists - “SPJ Code of Ethics.”

<http://www.spj.org/ethicscode.asp>

WITNESS - *Activists’ Guide to Archiving Video*

<http://archiveguide.witness.org/>

ACKNOWLEDGMENTS

WITNESS would like to thank the following individuals whose feedback provided valuable ideas and perspectives: Fergus Bell, Claire Wardle, Danielle Wenner, Alex John London, Michele Aaron, Josh Stearns, Courtney Radsch, Christoph Koettl, Amila Sampath, Malachy Browne and Mark Little.

Thanks also to the following individuals and organizations without whose support, camaraderie, and assistance, this would not have been possible: The Online News Association’s UGC Ethics Group, Ellery Biddle, Kristin Antin, Emma Raynes, Susan Meiselas, Al Tompkins, Kim-Jenna Jurriaans, Guilhem Ravier, Sylvie Doppelt, Trushar Barot, Justine Mackinnon, Della Kilroy, Steve Grove and Olivia Ma.

SHARING

END NOTES

- 1 *Activists' Guide to Archiving Video.* <http://archiveguide.witness.org/>
- 2 "2014 Celebrity Photo Hack." http://en.wikipedia.org/wiki/2014_celebrity_photo_hack
- 3 "Fiji Prisoner Beating: 'They treated my son like an animal.'" <http://tvnz.co.nz/world-news/fiji-media-publishes-interview-mother-beating-victim-5363991>
- 4 "Face Blurring: When Footage Requires Anonymity." <http://youtube-global.blogspot.com/2012/07/face-blurring-when-footage-requires.html>
- 5 "Abuse of Syrian Child on Video Sparks Outcry and Arrests." <http://blog.witness.org/2014/08/abuse-syrian-child-video-sparks-outcry-arrests/>
- 6 "Nigeria: Gruesome Footage Implicates Military in War Crimes." <https://www.youtube.com/watch?v=GA7SIbvEO64>
- 7 "Video of Mass Sexual Assault Taints Egypt Inauguration." http://www.nytimes.com/2014/06/10/world/middleeast/video-of-mass-sexual-assault-taints-egypt-inauguration.html?_r=3.
- 8 "Malaysia: Cellphone Video Captures Police Excess." <http://hub.witness.org/en/node/7690>
- 9 "Abuse by Viral Video: Break the Cycle with Identity Protecting Tools." <http://blog.witness.org/2013/08/abuse-by-viral-video-break-the-cycle-with-identity-protecting-tools/>
- 10 "Amateur Videos are Putting Official Abuse in New Light." <http://www.washingtonpost.com/wp-dyn/content/article/2006/11/14/AR2006111401312.html>
- 11 "Malaysia: Cellphone Video Captures Police Excess." <http://hub.witness.org/en/node/7690>
- 12 "Russia: Gay Men Beaten on Camera." https://www.youtube.com/watch?v=zMTbFSJ_Tr4
- 13 *Professional Standards for Protection Work:* <http://www.icrc.org/eng/resources/documents/publication/p0999.htm>
- 14 *Build Your Own Ethics Code.* <http://ethics.journalists.org/topics/user-generated-content/>
- 15 "Tow Center Launches Amateur Footage: A Global Study of User-Generated Content in TV and Online News Output." <http://towcenter.org/tow-center-launches-amateur-footage-a-global-study-of-user-generated-content-in-tv-and-online-news-output/>
- 16 "Responsibility Toward Uploaders." http://towcenter.gitbooks.io/amateur-footage-a-global-study-of-user-generated-/content/responsibilities/responsibility_toward_uploaders.html
- 17 "Korea's Web Community Roiled by Shocking Video of Western Men Tormenting a Local Woman." <http://www.washingtonpost.com/blogs/worldviews/wp/2013/07/15/koreas-web-community-roiled-by-shocking-video-of-western-men-tormenting-a-local-woman/>
- 18 "Controversial Video of Western Men Harassing a Korean Woman Appears to Have Been Staged." <https://www.washingtonpost.com/news/worldviews/wp/2013/07/25/controversial-video-of-western-men-harassing-a-korean-woman-appears-to-have-been-staged/>
- 19 "Fiji's Military Government Barely Bats an Eyelid at Shocking Torture Video." <http://observers.france24.com/en/20130315-shocking-fiji-torture-video-military-government-barely-bats-eyelid>
- 20 "The Use of Eyewitness Media in Breaking News: What Has Changed Since Our Research Was Published." <https://medium.com/@emhub/the-use-of-eye-witness-media-in-breaking-news-3f3df0535f18>
- 21 "Human Rights Channel: 2013 Year in Review." https://www.youtube.com/watch?v=Mil3zPB_S-4
- 22 "Human Rights Channel 2013 Year in Review." <https://docs.google.com/document/d/1BgjoIF7Pzh4P7FpaelmvRmU2x4zEF-mQIvS2z0TqMa4/edit?usp=sharing>
- 23 Syrian4all World. <https://www.youtube.com/user/Syrian4allWorld/videos>
- 24 "Watching Syria's War." <http://projects.nytimes.com/watching-syrias-war>
- 25 "Caught on Video: Rockets Disrupt Wedding in Holon, Israel." <http://www.nbcnews.com/news/world/caught-video-rockets-disrupt-wedding-holon-israel-n151436>
- 26 "Life in Israel: Gaza Rockets Interrupt Wedding in Ashdod." <https://www.youtube.com/watch?v=x7qUIUEH5RE>
- 27 "Video Shows Troops Attacking Iranian Exile Camp in Iraq." <http://english.alarabiya.net/en/News/middle-east/2013/09/03/Video-shows-troops-attacking-iranian-exile-camp-in-Iraq.html>
- 28 "Massacre in Camp Ashraf April 18 2011" [GRAPHIC] <https://www.youtube.com/watch?v=qm2V1V4NDgQ&feature=youtu.be&t=3m30s>
- 29 "Watching Syria's War." <http://projects.nytimes.com/watching-syrias-war>
- 30 "Rebels Celebrate Over Body of Downed Helicopter Pilot." <http://projects.nytimes.com/watching-syrias-war/pilot-helicopter-attack-rebels>
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**PRINT OUT THE MINI GUIDE BELOW AND CARRY IT
WITH YOU FOR EASY REFERENCE.**

CHECKLIST: ETHICAL GUIDELINES

KEY QUESTIONS TO ASK BEFORE SHARING EYEWITNESS FOOTAGE

- who is identifiable in the video and how are they portrayed?**
Are those individuals aware they are being filmed? How might their appearance in the footage, if seen by a wide audience, impact them or their community?
- what was the intent of the filmer?**
Was this filmed to document abuse? Was it filmed to promote hate or fear, or to glamorize violence?
- who is the intended audience?**
Was it intended to be seen widely, or was it filmed for a specific, limited audience?
- does the video contain shocking or graphic imagery?**
Is the graphic footage gratuitous, or is it critical for documenting a particular event? How can you warn your audience before they view it?
- are you certain the video is authentic?**
Is it possible the video has been manipulated or misinterpreted to mislead viewers?
- what is the intended purpose & audience for sharing the video?**
Do the potential benefits of sharing the video outweigh the potential risks of doing so?

DEVELOP STANDARDS

CREATE GUIDELINES WITHIN YOUR ORGANIZATION TO DETERMINE HOW TO ETHICALLY CURATE EYEWITNESS FOOTAGE

Below are some of the considerations they should address:

- In what situations will you curate videos without the consent of the individuals filmed?**
- When will you protect the privacy and anonymity of those filmed?**
Will you blur the faces of victims of abuse? Children? Activists? Perpetrators?
- How will you share video footage publicly?**
Link to the original online video? Embed the video within your online content? Create a new version on your own channel?
- How will you indicate to your audience the source and context of the footage?**
- if you have not verified what the video depicts with certainty, how do you decide whether to use it and how to acknowledge uncertainties about it to viewers?**
- When the footage contains graphic content, do you share, embed, or link to it?**
How do you warn viewers?
- When footage is created by hate groups, do you share the video?**
Link to the original? Provide a screenshot? Refuse to distribute any element of the imagery?