2 Journalism understandings, skills and tools

Speak Up, Speak Out: A Toolkit for Reporting on Human Rights Issues
In Section 1 we provided a set of tools for journalists to do high quality human rights reporting, including knowledge about human rights, the systems that create and promote them and our duties and obligations. Here we address the nuts and bolts of good human rights reporting and provide guidelines and tips to help human rights reporters.

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Media, journalism and human rights

Media are increasingly covering human rights issues, and it is crucial that journalists know how to report on them accurately, thoroughly, and in a way that does not inflame the problems.

Human rights cover everything, from the right to life and the right to live in freedom and security to the right to own property, travel and vote. They belong to everyone, from the tiniest infant to the oldest grandmother, to people of all classes, races, ethnic groups, sexual orientations and migrants. They include sickness, health and all forms of disability, education, entertainment, culture, crime and punishment.

Journalists also cover everything — politics, business, war, peace, the environment, health. It is inevitable that journalists will come across human rights issues.

For a variety of reasons, there is more and more coverage of human rights in the media. The climate for doing quality human rights reporting is good, but there are also many threats. Take a look at the list below — do these statements apply to your situation?

**Working for and against good human rights journalism**

**For:**

Human rights issues are more newsworthy than in the past.

- State control over media has decreased over the past two decades.
- There are more organizations that promote human rights and that feed the media with information.
- There are more human rights “watchdogs” that investigate human rights abuses and publish information.
- The UN’s monitoring system is more visible.
- More issues are framed as human rights issues; for example, children’s issues, HIV/AIDS, sexual and reproductive health, aging, poverty, housing.
- More governments have integrated human rights into policies and laws.
- Political parties take more account of human rights; human rights are discussed during elections.
- Technology like the Internet and mobile phones, as well as social networking platforms like Twitter and Facebook, mean there are more ways of receiving information, more sources and more alerts.
- Technology and social networks are creating new ways of reporting human rights violations.
- Some international media networks, like the BBC and CNN, now employ people living in developing countries as journalists and stringers. This creates opportunities for finding international audiences for local stories.
Against:

- Human rights often work against powerful political and economic interests, and the threat of repercussions can be great.
- Many journalists have cultural beliefs and practices that do not fit well with human rights ideals.
- In times of crisis, governments may introduce laws that violate human rights.
- Victims of human rights violations are often afraid of talking to the media.
- In developing countries, there is limited technological infrastructure, e.g. mobile phone and Internet connections. This works against journalists in a high-speed news environment.
- It is not always easy to fit breaking news into a human rights format.
- In most developing countries, journalists are under-resourced, lacking even the most basic tools — computers, cameras, transmission equipment — and finances, like money for transport and accommodation.
- Many journalists are freelancers or stringers. They struggle to “sell” human rights stories that are not headline news but which are ongoing problems — like poor health services, lack of water, inadequate education — to editors concerned with budgets.
- In some places, media are still controlled by the state.
- States still have the power to shut down the Internet or to censor Internet content.

Media’s relationship to human rights issues

- Media are producers of information for the general public. Reporters collect and present most of the information we receive about human rights.
- Media also carry stories that include information generated by human rights organizations.
- Media decide what to cover and what issues or aspects of a story to highlight. By making these decisions, media have power over what we know and do not know about human rights.
- Media also comment on issues in opinion pieces, talk shows, panel discussions, editorials and columns. Media therefore have the power to shape public morals and public opinions about human rights.

What role should journalists play in relation to human rights?

What are journalists’ responsibilities in relation to human rights?

Do journalists have a special responsibility to report on human rights?

It is worth thinking about these questions, because how you answer them will shape your approach to human rights reporting. There are several valid answers, reflecting different viewpoints about journalism.

Here are some points of view to consider. See if you can select one or more answers that describe how you feel about your role:

- Media are a mirror. The role of journalists is to reflect back to society what they see. That will include human rights issues.
- Media have a moral obligation to promote human rights all the time and in every story because media are “watchdogs” whose role is to bark loudly to warn people about threats to their freedom, to their security, to their livelihoods and to their culture.
Journalists have a special, personal interest in human rights. Good journalism dies where human rights are weak. Journalists and their families — like everyone else — also need to live free from fear of oppression and exploitation, with rights to their own religious beliefs, access to buildings if they are disabled, equality if they are women. Therefore they have a responsibility to expose abuses and to raise awareness about human rights.

Human rights are the basis of all good journalism. You cannot be a good journalist unless you incorporate human rights.

The role of a journalist is to report news and issues and therefore do not have a duty to pay special attention to human rights. Human rights are not more special than any other topic.

Human rights may be newsworthy from time to time, but the real value in knowing about human rights is that human rights help you look at the world in a different way. So you start to see new stories in old issues. Human rights provide another “hook” or angle for your story.

Human rights are a moral compass for good journalism. Knowing and understanding human rights will make you a better and more professional journalist.

How do you see yourself?
Some journalists see themselves as campaigners — actively, consciously and deliberately exposing injustices, righting wrongs, raising awareness, influencing events. They are journalists because they want to change the world.

Other journalists are closer to the “media as a mirror” position. They may also strongly believe in changing the world, but see this as an inevitable outcome of good journalism. They avoid campaigning journalism, or deliberately trying to influence events.

Your selection may also be decided by where you work:

A community radio or TV station with a community development mission, for example, may want you to do campaigning journalism about people’s rights to housing or about poverty. A bridge over a local road could be framed as a “right to life” or “right to safety” issue.

A public radio or TV station is more likely to want you to be more detached in your approach and report what others say, being sure to be fair to all sides of the story.

If you are blogging, what you write will depend on your own personal values and beliefs, and on the aims of your blog.

A commercial television or radio station might want to avoid controversy and will thus avoid campaigns that might anger advertisers.

Criticalisms of human rights coverage in the media
Many observers note that although there is more human rights coverage in the media now than in the past, it is not all good. Some common criticisms are:

Media confuse issues because journalists have an inadequate understanding of human rights: what they are, how they are created, governments’ responsibilities and how they are promoted and enforced.

By not taking account of human rights, journalists miss stories or ways of reporting issues. This affects the quality of journalism and the public’s right to information.

When journalists cover human rights issues, they do not present them as human rights issues, but as national or local crime or politics. They ignore the existence of international human rights standards for domestic violence, racial discrimination, treatment of migrants, child abuse, education, health, cultural freedoms and many other issues. This weakens media’s “watchdog” role, because the media do not hold their governments and other powerful institutions to account on these issues.

Journalists present information without context or analysis. As a result, human rights violations seem to be isolated instances or new events even when they are only the latest in a history of similar violations.

Media themselves sometimes perpetrate human rights abuses by invading privacy, perpetuating bias and stereotypes, not calling governments to account, or deepening conflict.
Use this space!

What kind of journalist are you? How will your understanding of the role of journalists in society affect your human rights reporting?

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Think about your work and your media environment. What is good about human rights reporting in your environment? What is bad about it?

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In your context, what prevents you from doing good human rights reporting?

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The power of media

Before it goes out, every idea and story has been the subject of questioning, thought and decision-making by many people. Reporters, news editors, sub-editors, editors, producers and even media owners are involved in deciding what is finally printed or broadcast. This decision-making process can be understood as a type of “mediation.”

There may be fewer decision-makers when it comes to online media, because individuals can post news directly, without consultation. Online journalism posted by individuals is therefore sometimes referred to as “unmediated.” But even individuals publishing online make their own choices and decisions.

Journalists make decisions all the time. Sometimes they operate in a supportive environment and are guided by others — news editors, editors, other journalists. Sometimes they operate in more oppressive environments and are told what stories to cover or ignore; what angles to take; who may be interviewed. But even in oppressive newsroom environments, journalists make decisions — the decision to agree rather than opt out, for example.

When making decisions, journalists balance many issues: the standards, ethics and values of journalism; their own country’s media laws; the rules and regulations operating in their newsrooms; deadlines and time; the format of stories; length and language. They also consider personal issues: the need to earn a living; the safety of their families; personal time; their own culture and values; personal ethics; what is possible to achieve in a day.

All of these issues have a bearing on the quality of a journalist’s work. Every decision a journalist makes has the power to do good or harm. That is the power of the media. Most of the time, media do no harm. But unfortunately, media have also both abused their power and, through poor practice, caused unintended harm.

Values of good journalism

The values of journalism guide journalists in exercising their power, and protect the public. They are intended to guarantee good journalism.

According to the International Federation of Journalists (IFJ), there are about 400 written codes for journalists, which vary in quality and comprehensiveness. Some news organizations have their own lists of values and codes of practice. In other newsrooms, they are not written down, but learned in practice through working with more experienced colleagues.

VALUES OF JOURNALISM:

The Big Five
• Truth
• Accuracy
• Independence
• Fairness
• A commitment to minimize harm
They vary from country to country to accommodate different situations and sensitivities. But there are certain elements that are universal and recognized by all journalists. These are journalism’s Big Five: truth, accuracy, independence, fairness and a commitment to minimize harm.

Other important values say that good journalism should:

- Expose crime and corruption
- Make governments work better
- Promote open debate
- Explain the impact of events
- Be inclusive
- Respect privacy
- Promote the values of freedom of expression and information

See page 67 for an international code of conduct for journalists and an example of a newspaper’s code of ethics.

**How do you apply these values to reporting human rights issues?**

You apply these values in all your work, whether you are reporting on human rights or not.

“Reporting on human rights requires the same adherence to high standards as reporting on any other subject. But because of the great sensitivity, journalists need to be especially careful and sensitive to the possible dangers and pitfalls.”


**News values**

When making decisions, journalists also consider “news values.” News values are qualities that make information newsworthy. News values have been developed over many years, through practice and experience, and are not rigidly defined. They are what the media have come to believe will attract interest and audiences. Like the values of good journalism, they vary in different media, but there is a generally agreed list:

To be newsworthy, the story must have some or all of the following values:

**Impact** — the story must be relevant to people’s lives. For example, stories about price rises, political developments and climate change all have direct impact on people’s lives.

**Public interest** — do people have a right to know the information? Do people need to know? Will telling the story prevent harm or save lives? Will it inform the decisions they make?

**Timeliness** — the story includes information that people need to know in order to organize their lives in the present.

**Proximity** — close to home. A crime in your own city is more important to your community than a crime that is far away.

**Currency** — what’s in the public focus at the time, e.g. controversial issues, cultural trends, topics of debate set in motion by recent events.

**Development Goals** — is approaching. Race and racism were “hot” topics when Barack Obama, America’s first black president, was elected in 2008.

**Novelty** — events that are unexpected or surprising. The “man bites dog” story.

**What are news values when it comes to human rights stories?**

The same news values apply to human rights stories.

Awareness of human rights has benefits for journalists. Human rights can help you recognize a good story. Linking events to human rights standards can make the story more newsworthy.

For example, there may be several instances of child abuse in your community, but your editors might not regard them newsworthy. Try another angle – has your country signed the Convention on the Rights of the Child (CRC)? What positive steps is your government taking to eradicate child abuse? Why does child abuse persist? The story becomes more newsworthy when you bring in these angles.

At the same time, it is an opportunity to raise awareness about the CRC and about what constitutes child abuse.

You can also link your story to the human rights calendar. For example, stories about domestic abuse might not be considered newsworthy most of the time. But domestic abuse is a rights violation and you might be able get it into the news on March 8, which is International Women’s Day. Or you could try November 25, which is the International Day for the Elimination of Violence against Women. Take a look at the calendar of UN international human rights days in Appendix D, page 169 for dates. Mark them in your diary and list some ideas for story.
How do you recognize a good story?

To recognize a good story, you need good “news sense.”

“News sense is recognizing the potential news value in facts that might by themselves seem unimportant, and selecting the parts that will interest people. It is finding ways to bring the audience into the story. It is making connections between facts and events and predicting the ways an audience will react.”


We are bombarded by events and information all the time, but we are limited by deadlines and space. Having news sense means you can make quick decisions about what stories to follow and what facts to include.

Most journalists develop news sense over time. Here is a set of questions to help you develop good news sense and to choose your stories:

- Would people be interested to know about this?
- Who are the stakeholders — that is, who are the people who would be most affected by the story? Who else would be affected?
- What is the news value — is it unexpected, timely, current, “close to home”…?
- Is it in the public interest?
- How will it affect people’s lives?
- What is my own relationship to the issue? To what extent am I driven by my own interests? What values / beliefs / connections do I have that may be influencing me?
THE STAR’S 10 ETHICAL GOLDEN RULES

FROM THE STAR’S STYLE GUIDE, 2010 EDITION

The Star is an independent newspaper based in Nairobi, Kenya’s capital city. It is a national paper with a circulation of about 30,000. You can read The Star online at www.nairobistar.com. An interview with Nzau Musau, political writer at The Star, appears on page 42 of this toolkit.

A shortened version of The Star’s Style Guide is given to all staff in the form of a pocket-sized booklet for easy reference. The “10 Ethical Golden Rules” published here are taken from this booklet.

1. Accuracy – The Star must take care not to publish inaccurate, misleading or distorted information including photographs. Whenever it is noticed that a misleading, inaccurate or distorted article has been published, it must be corrected at the earliest opportunity.

2. Privacy – Everyone is entitled to respect for his or her private and family life, home, health and correspondence except in Public places. Any news story that breaches this tenet must be justified. The identity of victims of sexual assault MUST NOT be made public unless there is sufficient justification.

3. Listening devices – Reporters/editors must not obtain or publish material obtained by using clandestine listening devices or by intercepting private telephone conversations EXCEPT in cases where there is overwhelming public interest.

4. Misrepresentation – Misrepresentation by journalists through false identity can be justified only in the public interest and only when the information cannot be obtained in any other way.

5. Discrimination – Details of a person’s race, color, religion, sexual orientation, physical or mental illness or disability should be avoided unless the details are relevant to the story.

6. Confidential sources – Reporters have a moral duty/obligation to protect sources of information at all times.

7. Advertisement/Government Pressure – A story should never be killed based on the need to please an advertiser. Government requests to publish or kill a story should not, as a rule, be entertained. In cases where there is doubt about the proper course of action, the editor should make the decision.

8. Previewing stories – Interviews or sources should NEVER be shown stories ahead of publication.

9. Freebies/Gifts –
   (a) Star staff should NEVER receive cash or payments from news sources.
   (b) In meetings with news sources, reporters/editors should normally pay the lunch/coffee or dinner bills.
   (c) Gifts valued at more than Sh1,000 (about $12 US dollars) MUST be declared to the editor/ supervisor and subsequently returned with a polite note.
   (d) Invitations for junkets to foreign/local destinations MUST be approved by the editor.
   (e) Upcountry transport to venues by news sources could be considered in remote areas where a reporter would not reach without the source getting involved. BUT ALL such offers MUST BE DISCUSSED WITH THE EDITOR BEFORE ACCEPTANCE.
   (f) NO reporter should make private plans to acquire tickets or accreditation by using the name of The Star to any event WITHOUT the knowledge of the editor/supervisor.

10. Payment for articles – The Star will not pay sources for documents or information. An exception to the rule could ONLY be in cases where there is overwhelming public interest.
IFJ DECLARATION OF PRINCIPLES ON THE CONDUCT OF JOURNALISTS

“This international Declaration is proclaimed as a standard of professional conduct for journalists engaged in gathering, transmitting, disseminating and commenting on news and information in describing events.

1. Respect for truth and for the right of the public to truth is the first duty of the journalist.

2. In pursuance of this duty, the journalist shall at all times defend the principles of freedom in the honest collection and publication of news, and of the right of fair comment and criticism.

3. The journalist shall report only in accordance with facts of which he/she knows the origin. The journalist shall not suppress essential information or falsify documents.

4. The journalist shall use only fair methods to obtain news, photographs and documents.

5. The journalist shall do the utmost to rectify any published information which is found to be harmfully inaccurate.

6. The journalist shall observe professional secrecy regarding the source of information obtained in confidence.

7. The journalist shall be aware of the danger of discrimination being furthered by the media, and shall do the utmost to avoid facilitating such discrimination based on, among other things, race, sex, sexual orientation, language, religion, political or other opinions, and national or social origins.

8. The journalist shall regard as grave professional offences the following:
   - plagiarism;
   - malicious misrepresentation;
   - calumny, slander, libel, unfounded accusations;
   - acceptance of a bribe in any form in consideration of either publication or suppression.

9. Journalists worthy of the name shall deem it their duty to observe faithfully the principles stated above. Within the general law of each country the journalist shall recognise in professional matters the jurisdiction of colleagues only, to the exclusion of every kind of interference by governments or others.”

(Adopted by 1954 World Congress of the IFJ. Amended by the 1986 World Congress.)

The International Federation of Journalists (IFJ) is the world’s largest organization of journalists, representing about 600,000 members in more than 100 countries. The IFJ’s mission is to promote international action to defend press freedom and social justice through strong, free and independent trade unions of journalists.
Use this space!

What personal values influence your work as a journalist?

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Ethical dilemmas and rights issues

Here is a true story involving a political/sex scandal in Finland. Take a look at the events below. What do you think?

Politician’s love affair leads to blows

Late one night, a politician came home with his girlfriend. To their shock, they found his wife at home! The wife and the girlfriend got into an argument, and this ended up in a physical fight between all three people. The police were called and the politician and his girlfriend were arrested. The next day, stories about the incident, including the names of everyone involved, were published. The media also commented on the consequences of the incident for the politician’s career.

What do you think? Were the media right to cover the story?

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What are the human rights and ethical issues involved?

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More hot news: the girlfriend’s scandalous past

A few weeks later, although there had been no further developments, the media again carried stories about the incident. This time, they gave further details about the fight and further information about the politician’s troubled life and relationships.

They also published further information about the girlfriend, including where she lived, her age, the name of her workplace, her family and other relationships and her picture. They also carried more details about her relationship with the politician.

Were the journalists right to revisit the story? What are the ethical and human rights issues involved?

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Journalists found guilty of invasion of privacy!
The politician and his girlfriend reacted by asking the police to conduct a criminal investigation into the journalists' methods and how they had covered the story.

This resulted in a criminal case, which the journalists lost.

The courts ordered the journalists and the media companies to pay large fines and damages for the invasion of the girlfriend's private life.

They argued that because the girlfriend was not a public figure:

- The fact that she happened to be the girlfriend of a well-known person in society was not enough to justify revealing her identity to the public.
- The fact that her identity had been revealed in the media before, during the first court case, did not justify these new invasions of her private life, the courts said.
- Dissemination of information about a person's private life was enough to cause them damage or suffering. Therefore, the absence of intention to hurt the girlfriend was irrelevant.

The courts concluded that the journalists and the media had had no right to reveal facts relating to the girlfriend's private life or to publish her picture as they did.

What do you think about the judgement? Were the courts right?

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The journalists object!
The journalists, editors-in-chief and media companies complained under Article 10 (freedom of expression) of the European Convention on Human Rights about their convictions and the high amounts they had to pay in damages to the girlfriend. The European Court found that:

- The laws of the country were clearly stated.
- It was clear that the journalists had transgressed national laws and were therefore guilty.
- They were journalists of that country and so should have been aware of laws and regulations of that country.
- If they were not clear about the meaning of the law, in particular, the meaning of “private life,” they should have sought advice.
- However, there had been no evidence of factual misrepresentation or bad faith on the part of the journalists.
- Nor had there been any suggestion that they had used illegal methods to obtain information about the girlfriend.
- While it had been clear that the girlfriend was not a public figure, she was involved in an incident together with a well-known public figure with whom she had been in a close relationship. Therefore, the girlfriend could have reasonably been seen as having entered the public domain.
- The disclosure of the girlfriend's identity was of clear public interest in view of the politician's conduct and his ability to continue in his post as a high-level public servant.

The court therefore found that the national courts had violated the Article 10 rights of the journalists. The court ruled that the national government had to pay the journalists damages, as well as the costs of the court case.1

What do you think? Was the European Court of Human Rights, a regional human rights body, right to overturn the decision of the national courts and fine the government?

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Does your country have laws or regulations to protect the privacy of individuals? What do they say?

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On page 64, we discussed decision-making within the media and how this gives media — and journalists — power. Media do not just provide information and reports on news events and current issues, but through decision-making play a crucial role in influencing how people think and what we consider normal and acceptable.

The kinds of decisions that have an impact include selection of types of news stories, choice of words and language, choice of people to interview, pictures to illustrate stories and story placement in newspapers and radio and television news and feature programs. These decisions all send messages to audiences.

The UN’s Decade of Women (1975-1985) and later, the 1995 Beijing Platform for Action recognized the power of media in relation to gender.

The tens of thousands of women who attended the World Conference on Women in Beijing in 1995 drew attention to the role of media in deepening women’s oppression and gender inequality. They also argued that the media had the potential to positively address the issues of gender inequality.

A special concern raised at the Beijing Conference was the fact that there is gender inequality in media organizations.

Women seldom rise to decision-making positions;
In most places women journalists are in the minority;
Women journalists are most frequently assigned to cover “soft” news, or news that does not deal with “serious” topics (with the exception of sport!) while men cover “hard” news, the major events of the day, like politics, conflict, finance and crime.

Sexual harassment of women in the newsroom is also widespread.

2 The UN’s Fourth World Conference on Women took place on September 4-15, 1995 in Beijing, China. The Beijing Platform for Action that emerged from the conference aimed at achieving greater equality and opportunity for women. The three previous UN World Conferences on Women were in Mexico City (International Women’s Year, 1975), Copenhagen (1980) and Nairobi (1985).
Tackling the problems

Male bias
Most stories in the media are about men and quote men. There are thousands of untold stories about women everywhere. The best way of finding these stories is to talk to women and to ensure that women’s voices are also heard in the news. Media that carry women’s voices and perspectives are more balanced and richer.

Another way of countering male bias is to look for the women’s perspective in stories, i.e. to mainstream gender perspective.

Lack of knowledge of issues
Journalists, both men and women, often lack knowledge of the issues affecting women, or of how issues affect women in different ways. This can be remedied by education on gender issues and mainstreaming the gender perspective.

The invisible woman
The media ignore certain categories of women, creating the impression that they are unimportant or worthless. Examples include elderly women, working-class women, women from certain minority ethnic groups and poor women.

Gender stereotypes
One of the most frequent criticisms of media coverage is that it portrays women in terms of gender stereotypes.

Stereotypes are simplistic generalizations attributed to groups of people without regard for accuracy or truth. For example
- Men are logical, women are emotional
- White people are arrogant
- Working class people are stupid
- People living with HIV/AIDS are promiscuous

When media reproduce these stereotypes they are shaping public opinion in ways that reinforce them and deepen inequality, stigma and prejudice.

Stereotypes prevent us from seeing people as they really are. Gender stereotypes prevent us from seeing women as they really are.

By challenging gender stereotypes, media are fulfilling their obligations under international human rights law. Media that challenge gender stereotypes are also in a stronger position to challenge governments to fulfil their obligations with respect to gender.

FREE AND FAIR?

TWO CONCLUSIONS OF A 12-COUNTRY STUDY IN SOUTHERN AFRICA IN 2003

“Women are under-represented in all media in Southern Africa, and especially in the print media. They tend to be consigned to the “soft beats” and do not predominate in any of the beats, including gender equality and gender violence although relative to their numbers in the industry they are better represented in these beats than in any other areas. Women are also under-represented in important news genres such as the creation of images, graphics and cartoons, as well as opinion pieces. The positive correlation between women reporters and women sources suggests that having higher levels of women journalists in all beats of the media would increase the extent to which women are given greater voice in the media. But the fact that a number of male reporters are writing and producing stories on gender equality and gender violence is a positive sign and should be built on through training.”

“Women’s voices are under-represented in the news and are virtually missing from certain topic areas. Older women are invisible in both the print and electronic media. Women’s voices are not even heard in proportion to their strength in occupational categories, such as politics and agriculture. Other than on gender equality, the only areas in which women’s voices predominate have to do with the body, home and beauty, rather than with the mind, economic and political challenges.”

— “Gender in the media: baseline study,” Media Institute of Southern Africa (MISA) and Gender Links (Johannesburg, 2003) www.misa.org/researchandpublication/gendermedia/baseline-study.pdf

Sex objects
Many studies have shown that the media most frequently represent women as sex objects for men to look at and fantasize about. In news, features, entertainment and advertising, images focus on women’s bodies, their clothing and their looks. The impression is that women have nothing else to offer society and that women must live up to unrealistic and undesirable standards.
Gender stereotypes
Common stereotypes of women are that they are mothers, homemakers, weak, subservient, victims and intellectually inferior to men. The stereotype of a young girl is that she is pure and a virgin. If a woman behaves in a way that does not fit the stereotype, she is represented as extreme. For example, a woman doctor, or a woman who leads an organization that looks after street children is likely to be portrayed as an “angel” or a “saint” rather than as a professional person. A woman who challenges a man is represented as unnatural. An unmarried woman who is sexually active is portrayed as a sinner.

Double standards
In the media, a teenage boy who has sexual relations is represented as a man. A teenage girl who has sexual relations is represented as promiscuous. A man who abandons his children is simply bad or irresponsible; a woman who abandons her children is portrayed as unnatural.

Covering sensitive issues
As mentioned, women suffer grave human rights violations that sometimes include sensitive topics such as domestic violence, rape and other sexual abuse. Media coverage is often not sensitive to these experiences or may portray women as being responsible for the crimes.

NOTES
Use this space!

Challenging stereotypes
Stereotypes are learned. They are around us everywhere — in songs, proverbs, the media, religion, culture and tradition. They are potentially very harmful. On page 64 we discussed the need for self-awareness to avoid bias and doing harm. In order to challenge gender stereotypes journalists must first confront their own stereotypes. You will only recognize stereotypes in society if you are aware of and understand your own stereotypes.

Confront your own stereotypes
What are some of the commonly held views about male and female differences in your culture that you hold to be true?

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<th>Men are:</th>
<th>Women are:</th>
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Discriminatory descriptions and words
The ways in which women are described are often discriminatory. For example, women are referred to as “girls.” When this happens, women are perceived as inexperienced and powerless. Stories about war and conflict tend to focus on women refugees or victims of violence. Women do suffer gross rights violations in wars, and this fact is recognized in international treaties like the Geneva Conventions and the Rome Statutes (see page 101). Yet many women also fight in armies. In humanitarian crises, women are presented as “suffering victims.” Women do suffer, but many also perform heroic acts, rescuing the elderly and children. In humanitarian situations, women's experience and creativity can strengthen survival strategies. Women also play important roles in peacebuilding and post-conflict decision-making processes. Portraying them merely as victims minimizes their roles in society.

Here are some examples from headlines. Identify the problems and make notes:

<table>
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<tr>
<th>Headline</th>
<th>What problems are there with the language?</th>
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<tr>
<td>Blonde beauty wins song contest!</td>
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<tr>
<td>Mother of three elopes with lover</td>
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<td>Woman driver crashes into fence</td>
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<td>Teenage virgin found strangled on path</td>
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<td>Top job goes to former model</td>
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Examine your own reporting
What percentage of “experts” you have interviewed are women?
In Section 2 Part 2, page 65, we discussed news values. One of the most important news values is a commitment to minimize harm. Harm can be intended, as in the Rwandan example on page 66, or unintended. To minimize the potential for unintended harm, you will need to be able to predict how people may react to your story. This requires an understanding of your audience’s culture and values. What is their level of awareness about human rights? Do people agree or disagree with the idea of human rights? Are there any issues that are especially controversial?

We also discussed news sense (page 66). We listed as one of the important questions to ask when assessing a possible story: What is my own relationship to the issue? To what extent am I driven by my own interests? What values / beliefs / connections do I have that may be influencing me?

The ability to think critically about your own values and beliefs is essential to making good news judgements and to avoid causing unintended harm.

Human rights are controversial. They were born in struggle, and the struggle has not ended. Since the UDHR many human rights treaties have been adopted, elaborating political rights, social and economic rights, rights to freedom from torture and cruel punishment, rights to development and to seek asylum. But not all countries have signed all these treaties. Even in countries that have signed, there is disagreement about human rights. Sometimes, disagreement spills over into violence.

Here we identify some of the controversies and disagreements about human rights that you may encounter in your work. It is good to know about them so that you can address them, and so that you can minimize the risk of causing unintended harm.

**Whose universe?**

Can human rights be universal in a world with so many different identities, cultures and traditions? This question is behind many human rights controversies.

Broadly, there are two positions. “Universalists” believe that human rights should be universal; “cultural relativists” believe human rights should take account of cultural differences.

Cultural relativists argue that human rights were developed by Western countries and are based on Western morality. They should

> “The most potent weapon in the hands of the oppressor is the mind of the oppressed.”

— South African anti-apartheid activist, Stephen Biko. In 1977, Biko was tortured to death by the South African security police.
therefore not be imposed on non-Western societies that have different histories, cultures and levels of development.

In response, universalists argue that ideals like liberty and security belong to all of us. They are critical of cultural relativist arguments, which they see as an attempt to justify oppression of minorities, or to defend harmful cultural practices.

Here are some examples where universalists and cultural relativists have clashed:

- In 2010, Europe and the US put pressure on Malawi to free jailed homosexuals. This sparked widespread anger in Africa, where some people believe homosexuality is not part of African culture and so should be outlawed.

- Female genital mutilation (FGM) occurs in different cultures in Africa, Asia and South America. Arguments for FGM are sometimes religious, sometimes cultural. But FGM is considered a violation of women’s and girl’s rights by much of the international community, and is outlawed in some countries.

- In parts of the Muslim world where Shariah law is practiced, clashes with the international human rights movement are frequent. For example, in late 2000, a 13- or 14-year-old unmarried girl in Zamfara state in northern Nigeria was accused of having sexual relations. Zamfara state had adopted a very strict interpretation of Shariah, and the girl was sentenced to be flogged. The case caused international controversy over differing interpretations of whom is considered a “child” and what constitutes “cruel, unusual or degrading punishment.”

- Gender equality is controversial. In many parts of the world girls do not have the same access to education as boys.

- In some Maasai communities in Kenya and Tanzania parents do not want to send their children to school, although primary schooling is compulsory in both places. Some Maasai believe boys should be herding cattle and girls should be helping in the house, and that this is sufficient education for them. Is this a violation of the child’s right to education?

- Should people living with disability have the same rights as everyone else? Many families and communities appear to disagree, and people living with disability — especially mental disability — are hidden away and stigmatized.

- In some societies, women may not inherit or own property. Is this discrimination and a violation of women’s rights? Or is it a legitimate and acceptable part of those societies’ way of life?

Imposing human rights under the banner of universalism is often labelled “imperialist.” More particularly, it is labelled “American imperialism” or “Western imperialism.” What do you think?

**Are all rights really equal?**

In spite of attempts to assert the equality of rights, there are disagreements about which rights take priority.

In poorer countries, how will the government decide to allocate resources? Should more resources go to health, which is a human right, or to education, which is also a human right?
Which is more important? The public’s right to information or the individual’s right to privacy? Most countries have privacy laws which protect individuals from invasion of their privacy by government, business and other institutions. But the question of which takes precedence — privacy, or the right to know — remains controversial and is the subject of numerous court cases.

Tabloid newspapers, also known as the yellow press, thrive on juicy scandal and gossip. To get their stories, tabloid reporters hound celebrities and politicians, camping on their doorsteps and following them in the streets. “Paparazzi” (photographers specializing in candid photographs of well-known people) with high-power lenses climb trees and film through windows. Their defense is that their subjects are public figures and so their activities are in the public interest. Celebrities have taken out injunctions to stop journalists from hounding them, but many have been severely criticized for taking out the injunctions.

Are there enough rights to protect everyone?

Some people say there are not. Some lesbian, gay, bisexual and transgender (LGBT) organizations say there should be a separate treaty asserting a right to sexuality. It would recognize the LGBT community as different, ensure they had equal rights with everyone else, including the right to marriage, and protect LGBT communities from abuse.

Some HIV/AIDS organizations say there should be a special treaty to promote and protect the rights of people living with HIV and AIDS. Activists argue that a special treaty is necessary because of the extent and depth of the HIV/AIDS epidemic; the special nature of the illness and treatment needs of sufferers; the devastating impact on families and the role of discrimination and stigma in spreading AIDS.

Proponents of the anti-abortion, “pro-life” movement believe in the rights of the unborn fetus. “Pro-choice” supporters argue that the rights of the mother to choose whether to have a child are more important.

Which takes precedence? International human rights law or national law?

On page 18 we described the true story of how the European Court of Human Rights (ECHR) overturned a ruling by national courts. Once a treaty has been signed, international human rights laws take precedence over domestic law, and individuals have access to a higher authority if they feel they have been wronged. This often causes controversy at the national level and can cause problems with enforcement of verdicts.
**Use this space!**

We have listed just some of the controversies that surround human rights. Now take a look at the summary of CEDAW on page 155. Do you agree with all the articles? Is there anything in particular that you feel strongly about or where you disagree?

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Interview with Elizabeth Wangari

Elizabeth Wangari is a presenter and reporter with Coro FM, a local language (Kikuyu) regional station owned by Kenya’s national radio, Kenya Broadcasting Corporation. For more about Coro FM, see www.kbc.co.ke/radio.asp

Elizabeth broadcasts the early morning inspirational show on weekdays, children's programs on Saturdays and religious programming on Sundays.

She took part in the Internews Global Human Rights training program. Since the training, she has produced stories on topics that are controversial in her community: property rights, the rights of disabled people, the rights of girls and the rights of people living with HIV/AIDS. She is proud to say that her stories have changed people's attitudes and lives.

What do you think is the main human rights issue in Kenya?

It is the right to life, especially after the post-election violence (of 2007/8)\(^1\). During that period we experienced people killing one another mercilessly. I think that we need to learn and understand that everyone has a right to life. Whether they have wronged you, or they have not wronged you, they have a right to life.

I think that if we can accept that, it will lead us to developing our other human rights. And so everything else will come — if it is a right to health, to shelter, to education, that will all come if we value the life.

What human rights stories have you produced?

I did a story on women and the right to property. I had a case study of a woman whose husband died. Everything was taken away from her after he passed away. I followed the case with FIDA\(^2\) [an organization that supports the rights of women]. We had an interview with the CEO and she told us how they help such women to get their rights back.

After that story, I got to know of another woman in Muranga, where Coro FM has many listeners. This woman’s husband passed away and they took the land and everything that she had, and she was left alone. But through the intervention of FIDA she was able to get back her property.

I have also worked on a story on the medical rights of children who are mentally handicapped. This was a very touching story. I met a woman who has five children. All of them are mentally and physically handicapped. So I asked, “How do you tell if this child is sick? He cannot talk.” She said, “I see them groaning in pain, or they cry.”

There was a time when she tried to carry one of them to the hospital. Because the hospital is many kilometers away from her home, she has to take a matatu (public bus). But with the mentality of people — nobody wants to associate with people who are physically handicapped. So she was just left at the side of the road and no matatu would stop. So now she carries them on her back, or she pushes them in a wheelbarrow. It is very hard for her, and you feel for those children.

What did your story say?

I recommended this angle: all children, whether they are mentally handicapped or not, have a right to medical care like anybody else. The best thing is to accept handicapped people in society, to fight stigma. Also, we should have medical professionals who can deal with them, because when they go to hospital now, they are dealt with as if they are able to talk or explain their case, which is not possible for them. If we can have professionals who are directly responsible for physically handicapped children, maybe their care would be better.

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1 Referring to the violence that followed the disputed election of 2007, in which communities turned on each other as ethnic violence erupted.

2 The Federation of Women Lawyers – Kenya; www.fidakenya.org

“**You have to help people understand that this is not right. Everyone has the same right to life as you do. Even though they have violated your child’s right, you have to treat them as human.**”

~Elizabeth Wangari
Another angle was the accessibility of hospitals. The mother said that on one occasion, two of her children were ill at the same time. But how could she carry them to the hospital? She does not have a husband; she is a single mother. So if they can have closer places of medical care, it could help improve their lives.

How has your story changed the mother's life?
I did the story in two different ways, live and recorded. In the live show in the studio, the mother explained what she was going through, what kind of service she got. We interviewed her, and afterwards people called in expressing sympathy and giving advice. You could feel that many people felt pity for this woman.
They also appreciated the story because many people who have handicapped children hide them in the house, they don't want to come out and share their stories. They hide, fearing discrimination in the family and society. So they appreciated the story about the woman who was willing to be open.

After that, a church called me and we met and they said they had decided they would supply the woman and others like her with wheelchairs. In the interview, the mother had said if she had a wheelchair she would push the children to school. Right now, they don't even go to school. We now have a list of 25 people who are to receive wheelchairs, since I did the story.

Do you use the term “human rights” when you do stories like this?
Yes, we translate them into Kikuyu. In Kikuyu it is ihooto cia umūndū.

Sometimes journalists might not use the term for strategic reasons, because it is a political term. Is it like that for you in Kenya?
There are times when you find it a bit complex. But when explaining, if you do it in a deep way, and narrate the story well, you can get away from possible anger.

There are people who don't understand human rights. For example, if someone kills your child, and I tell you it is a human right for your child to be alive, you might want to take revenge. You might think — if you have the right to kill my child, it is my right to kill yours.

You have to help people understand that this is not right. Everyone has the same right to life as you do. Even though they have violated your child's right, you have to treat them as human.

Some human rights are also controversial because of culture. Have you had to work rights that are controversial here?
For a Kikuyu [the largest ethnic group in Kenya] it is very hard to tell a man that a woman has a right to property. For a Kikuyu, property belongs to a man. When it comes to doing a program on women's rights to property, not everyone will take it positively. Even if they have bought the property together, the woman may just want the man to be in control. So to bring them to understand takes time. You cannot do a story like that in one episode, you may need two, or even a third explaining the issue from different angles to make the point. Most of the stories that I do are not just one episode. I do a story, and a follow-up, and another follow-up, so by the end I will have covered the issue in depth.

Female genital mutilation (FGM) is also controversial. Have you covered that issue?
Yes, I went to Meru where they still practice FGM. Some do it forcefully to their girls and some girls do it willingly because of pressure from their parents. They believe: “This is a way of life, this is our culture and we can't do away with it.”

In Meru I met a 12-year-old girl who underwent a forced cut. It was not good for her. She was traumatized, but she was told: “This is the right way to do it!”

I interviewed her. She underwent the cut when she was 12 years old. When she was about 15, she decided to start an awareness-raising program to help other girls. She gathered a group of 24 girls who now meet every day to discuss the issues facing them in life, and even try to convince their parents and others to do away with FGM.

Did you get call-ins for that program?
Yes — after this story went on air, there was another child who called and said her grandmother had forced her to undergo the cut.

So she decided to run away to go to her aunt. But the aunt also could not accept the idea of the girl not undergoing the cut, because she did not want to be seen in society as a person who is doing away with culture.

So this girl went through a phase of visiting different relatives, until she got to one who could accept her, who said: “You are not going to undergo the cut, I am going to talk to everybody else in the family.” And so she was spared.
How to interview: the nuts and bolts of good journalism

The way you conduct your interviews will depend on your aims and what you want to find out.

Interviews are the main sources of information for journalists, for many reasons.

- Direct quotes in an article, or real voices and faces on air, give the story credibility. They are evidence of attribution: the information is not just coming from you, the journalist.
- Interviews are more lively, interesting and up-to-date than documents, and potentially more honest than press releases and other public relations material.
- Journalists work under pressure. You may get a long report about an important issue from government or a research institute, but you are not likely to have the time to read every word and understand it thoroughly. So it is easier and quicker to call someone who has deeper knowledge.
- As a journalist, you are not an expert, so you must rely on others who are experts.

The way you conduct an interview will depend on your aims and what you want to find out. You may have one or more aims, and your approach will vary according to your aims:

**If you want information**—
You are most likely to ask straightforward, ‘who’, ‘what’, ‘when’, ‘where’, ‘why’ questions, for example, “Who was involved?”; “How did it happen?”; “How many people were present?”; “What time did it start?” and so on.

**If you are investigating, probing or challenging**—
The information you want is much deeper, and interviews of this kind can become quite hostile.
For example, if you are calling government to account, you might interview an official and follow up information with more probing questions:

“Why was this allowed to happen?”
“Who was responsible for the safety regulations?”
“Is it police policy to extract information through beating suspects?”
You might ask for comment: “In your opinion, should prisoners be kept 15 to a cell?”

**If you want background and contextual information**
You are likely to ask questions like, “Would this normally happen?”; “Has this happened in the past?”; “What are policies are there on this?”

**You might want analysis or interpretation**—
Your questions will be more about meaning:

“What does this tax increase mean for the rights of older people to security of income?”
“How will the new law change girls’ rights to go to school?”
“How will the new border policy affect migrants coming to work in our country?”
Or a personal interview —
You will include questions about the person’s history, character, opinions and experience. You could also include emotional questions, like, “How did you feel when it happened?”

With emotional interviews, avoid obvious questions like, “How did you feel about the death of your daughter?” And avoid being patronizing — don’t say things like, “I know just how you feel....” — because you almost certainly don’t! (For more about handling sensitive interviews see 98 – 105.)

The 5 Ws + H
“Who, what, when, where, why and how” are the basis for almost all interviews and stories, no matter what the situation or topic. They can be used to construct stories involving human rights and to incorporate human rights into stories.

Good human rights stories will always identify whose rights are being upheld, violated or threatened and what the rights are. They will link the events to the human rights and identify the interests of all parties.

Vox pops
These are short interviews, mostly used by radio and TV (but newspapers can do them, too) to get many voices talking about a single issue.

Vox pops are usually conducted in public places, with the journalist approaching people randomly while keeping diversity (race, gender, age) in mind. Each person is usually asked the same question(s).

For example, if a new law about the cost of primary health care is passed, you might go to the local park and ask different people how the new law will affect their lives.

Sources of information
The two main groups of sources are primary sources and secondary sources.

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<th>Primary sources</th>
<th>Secondary sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eyewitnesses</td>
<td>Archives</td>
</tr>
<tr>
<td>Perpetrators, survivors and victims</td>
<td>Internet</td>
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<tr>
<td>Official sources / Spokespeople</td>
<td>Books</td>
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<tr>
<td>Experts</td>
<td>Newspapers and other media</td>
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<tr>
<td>Activists and NGOs</td>
<td>Official records, reports and documents</td>
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<td></td>
<td>Press releases</td>
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</tbody>
</table>

Primary sources in human rights reporting
For journalists working on human rights issues, there are many different kinds of people you will interview. The same basic principles apply for human rights reporting as for any kind of reporting.

- Background research into the topic and the interviewee is essential. Never approach an interview when you haven’t done background research.
- Think about your aims and prepare your questions in advance.
- Take care to phrase your questions in ways that are polite. Avoid using language that may be offensive to the interviewee.
- Think about how to dress for the interview and your manner. Some interviewees respond better to a more formal approach; others are happier in a more relaxed environment.
- After the interview, assess your source and the information. We include guidelines for assessing sources on page 85.

<table>
<thead>
<tr>
<th>Who</th>
<th>The people in the story</th>
<th>Whose rights are being affected? By whom?</th>
</tr>
</thead>
<tbody>
<tr>
<td>What</td>
<td>The events or actions that prompted the story</td>
<td>What happened / is happening? What is the situation? What human rights are involved? What is the human rights context? What treaties / laws are involved?</td>
</tr>
<tr>
<td>When</td>
<td>The time period</td>
<td>When did the event / events happen? If the rights issues (abuses, threats, challenges, struggles) are ongoing, when did they start and how long have they been going on for?</td>
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<tr>
<td>Where</td>
<td>The physical location</td>
<td>In what space/s, place/s or geographical location/s?</td>
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<tr>
<td>Why</td>
<td>Comment on the reasons</td>
<td>Why are the rights being affected? What are the interests of the different parties?</td>
</tr>
<tr>
<td>How</td>
<td>Further information about “what?”</td>
<td>In what ways are the rights being affected? Through what strategies / actions? What will happen next? If there is conflict, what are the options for the different parties?</td>
</tr>
</tbody>
</table>
Special sources need special approaches

Official sources
Official sources represent institutions and speak on their behalf. They may hold high positions in the institutions, which gives them a combination of knowledge (or the appearance of it) and power. As a result, people tend to believe official sources and journalists are sometimes fearful of challenging them. We include a special section on interviewing official sources on page 87.

Activists and NGOs
There are thousands of NGOs and activists working in the human rights arena. They are a rich source of information, but they have their own agendas and biases. Often, the challenge for journalists is not finding information, but assessing it for accuracy.

We include a special section on interviewing activists and NGOs on page 92.

Anonymous sources
Human rights stories are controversial. There may be risks of retaliation after a story has been published, and often interviewees will ask to remain anonymous. Many of the same principles apply to all kinds of sources — named or anonymous, in any kind of journalism. But because you are more likely to encounter anonymous sources when doing human rights reporting, we include a special section on anonymous sources on page 96.

Trauma survivors
Often, journalists covering human rights issues will need to interview people who have survived the trauma of crimes like indiscriminate violence, rape or torture. Handling people who have suffered trauma takes special care and sensitivity.

There are many kinds of trauma. Trauma affects survivors in many ways and there are several organizations that help trauma survivors. They provide useful insights for journalists. We include some guidelines drawn from the experience of people working with trauma survivors and journalists working in the field of human rights reporting on pages 98 – 105.

Perpetrators of human rights violations
Interviewing people who are charged with committing (or are accused of committing) human rights violations can be difficult for journalists. But it is still important and necessary to do in order to...
present more than one side of the story.

Many human rights violations are criminal acts and should never be excused. But interviewing perpetrators may help to present a more complex picture of a situation. The interview may help us understand what drives people to violate the rights of others. If you only interview victims, or people who have suffered human rights violations, you will present a simplistic, one-sided — albeit very important — picture.

Because of the risk of prosecution, people accused of perpetrating violations may wish to remain anonymous. As a journalist, you must decide whether to respect their wishes and, in making the decision, you will need to weigh many factors.

One of the main risks of using anonymous sources is that you could be summoned to appear in court and ordered to disclose the name of your source. If this happens, you will have to decide what to do. If you refuse to name a perpetrator, or an alleged perpetrator, your case will be weaker because the justice system may take the position that “there is no confidence in iniquity” — that is, people accused of wrongdoing should not be protected, and information about crimes should be disclosed. (See the section on Using Anonymous Sources on page 96).

**Guidelines for interviewing perpetrators of human rights violations**

- Thorough preparation helps build your confidence and stay on topic throughout the interview.
- Prepare for the interview by researching the interviewee and the circumstances of the crimes s/he is accused of committing.
- Take necessary safety precautions so you can interview your source without having to worry about your and his/her safety.
- Be open and honest about the fact that you are a journalist, say which newspaper, TV station or radio you are reporting for.
- Offer the option to remain anonymous; perpetrators who tell the truth may risk revenge or retribution.
- Try to interview the alleged perpetrator alone.

- Never promise favorable coverage, loyalty or understanding in exchange for the interview.
- Confront the interviewee with the allegation and explain you want to hear his or her response. Say you want to tell both sides of the story.
- Do not pretend you are asking about something else: this is both unethical and may be dangerous if you are found out.
- Encourage and allow the interviewee to tell his/her side of the story, but don’t shy away from asking probing questions.
- Be direct but polite, regardless of how you feel about the crime(s) the person has committed or is accused of committing.
- Finally, remember that the line between perpetrator and victim is often blurry. Perpetrators of human rights violations may also have suffered similar violations at the hands of someone else in the past. View and treat them as human beings.

**Always assess your sources!**

This is one of the golden rules of journalism. Always assess your sources, no matter who they are. You can never be absolutely sure if the information you are getting from any source is accurate.

Interviewees may be telling you what they think you want to hear, or they might deliberately try to mislead you. They might be experts, or they might not know what they are talking about! There is only one way to find out — assess the source and verify the information they give you.

**Tips for assessing primary sources**

*What is the source’s track record?*

Only trust sources who have given you reliable information in the past.

*Do they really know?*

Check if your sources are really in a position to know the information they are telling you. Were they at the scene? Do they know firsthand or are they reporting what others have said? If you aren’t sure, check by asking, “Were you actually there?”

*Is the source a competent observer?*

In your view, is the source likely to have understood what s/he has seen? Has the source observed the right details? What is the source’s age, emotional state, or possible bias?

*Check for motives, interests and agendas*

Sometimes, people have a personal reason for wanting information to be published. The reasons can be harmless, like wanting publicity for a legitimate cause. Or they could be intentionally manipula-
tive or harmful — an employee wanting to get revenge on an employer, or an ambitious party member wanting political advantage. The information may still be accurate, but it is important to at least know the motive and enable the public to understand so that they are not deceived.

**Confirm with others if the information is controversial**
Always try to find other sources to confirm or corroborate controversial information, and also look for sources who may contradict it, so that you can report fairly.

**How experienced is your source?**
Some people are experienced in dealing with media. Others are not. Handle inexperienced sources with care so that you do not exploit them. Make sure that they know that what they tell you is going to be published, and that there could be repercussions. Be especially careful with people who have suffered human rights abuses like rape or torture. They are vulnerable. Be especially careful when interviewing children.

**How safe is your source?**
If you are not a member of the community, you can leave. Your sources may not be able to. So it is important to be aware of their safety.

**Secondary sources in human rights reporting**
Journalists rely a lot on interviews but use documents and other sources to verify and contextualize what interviewees say.
Secondary sources are also extremely useful for background research. They can help you to ask more challenging questions, because you will know more after consulting them.
The range of secondary sources is vast and use of them is limited only by access, time, and your knowledge and skill in finding and using them.

For journalists who have access to computers, the Internet gives quick access to huge numbers of resources. Search engines — the most famous is Google — allow keyword searches that quickly produce answers to your questions.
As with any other source, secondary sources need to be evaluated and checked. In addition to being a vast store of very accurate information, the Internet is full of “grey” or “dirty” information posted by amateur researchers or by people deliberately aiming to mislead.

**WARNING!**
Freedom of access means that anyone can post information on the Internet without the same legal and regulatory scrutiny that goes with other forms of publication.

**Tips for assessing secondary sources**
- Check the date of publication
- Find out about the author and the author’s qualifications. Is the author a researcher? Junior or undergraduate? Senior and expert? Is the author a journalist? Try Googling the author to establish his or her reputation.
- What are the sources of the information — who / where does it come from?
- Find out how the information was produced. Surveys? Interviews?
- What are the risks of using the information — can it harm anyone? Is it essential to the story?
- What are the agendas of the people producing the information? What are the likely biases? Is the information complete or is there anything hidden?
- Are there NGOs or researchers who can help you understand the methodology and results of published reports?
Interviewing official sources

Official sources have — or are believed by the public to have — both power and knowledge. This presents both opportunities and challenges for journalists.

Key terms

Disinformation — inaccurate or false information that is deliberately spread.

Public relations — information put out by an institution to improve its reputation and win public goodwill.

Spin — interpretation of issues or events to persuade the public to view a certain public figure, organization, law, action or set of actions favorably. Spin usually involves deliberate manipulation of the facts. People who develop spin are referred to as “spin doctors.”

The official line — a position taken up by an institution which the public is intended to believe; the institution’s spokesperson (official sources) and messages will consistently reinforce the official line.

The voice of authority

Official sources represent social institutions and associations. They usually hold positions in these organizations and speak on behalf of institutions. For example, a member of the board of directors, a chief executive officer, a public relations officer or a senior manager may be a company’s official source on matters relating to that company; a government minister, civil servant or departmental spokesperson is an official source for a government department; a trade unionist is an official source on a matter involving workers’ rights; a police spokesperson is an official source for the police.

Information from official sources carries a lot of weight, because official sources have — or are believed by the public to have — both power and knowledge. An official source is generally a senior person in an institution and therefore someone who should know about the topic being reported, as well as about the positions, agendas and views of the institutions they represent.

Official sources are the voices of authority and legitimacy. The more senior an official source, the more likely they are to be believed. This presents both opportunities and challenges for journalists.

Interviewing official sources

Because official sources have power, they inspire awe and deference. Journalists are sometimes fearful of challenging them. In some cases, it is right to be afraid: when challenged, powerful people may take revenge. Many journalists who have challenged
official sources have suffered intimidation — arrest, assault and threats; some have been murdered. Where journalists challenge powerful institutions on their human rights records, they are raising the threat of investigation and people in the institution may face arrest and prosecution. So there is a lot at stake for powerful institutions when confronted about human rights.

However, an important role of journalism is to hold the powerful to account, so it is important to challenge official sources when there is justification for doing so.

### Three broad groups of official sources

**Official sources who want to be interviewed.**

These official sources will be quite easy to interview; they want to share information and the interview will be relaxed and friendly. However, it is important to remember that they represent the official line: be careful to verify the information and challenge their statements by asking well-researched follow-up questions.

**Official sources who do not want to be interviewed.**

These are official sources who have something to hide. They are much more difficult to interview, and you must be well-prepared and confident.

**Official sources who want to remain anonymous.**

This is a complex and difficult group, and you will have to be very careful. Ask yourself — why do they want to remain anonymous? What are their agendas? Anonymous sources have different reasons for wanting to remain anonymous. The most likely reason is self-protection, but there may be other interests and agendas at play. Assess official sources who want to remain anonymous as carefully as you would any other source; especially consider their reasons for wanting to remain anonymous. Treat them as you would any other anonymous source. Ask them: “Is there anyone who would be prepared to go on the record with this information?” If there is, be sure to interview that person. For more about using anonymous sources, see page 96.

### Tips for interviewing official sources

**Be prepared**

Good preparation is the golden rule for all interviews. It is absolutely essential when you are interviewing official sources. It is best to cultivate relationships with official sources before an issue comes up. Of course, this is not always possible.

Before the interview, conduct as much background research as possible, about both the **source as a person** and the **issue being addressed**. What kind of a person is the source? What is his/her position in the organization? What has s/he said before about the issue? What is the official line? What facts do you know about the story? Which can you be sure of? What are you less clear about? You can only challenge an official source if you know your facts; if you make a mistake, you will look like a novice and the official source may dismiss further questions. If you are not prepared, you may be misled by your source and risk reporting half-truths and carefully “sanitized” information as facts.

Sometimes you may only have a few minutes to prepare. If this is the case, ask yourself: What do I know about the situation? Jot down notes and plan a line of questions based on what you know.

**Decide your news line or angle in advance**

Decide what you want the outcome of the interview to be — your news line — and pursue it. But be open to the unexpected. If something emerges during the interview, be prepared to change course.

**Prepare your strategy; draft an interview guide**

What kind of interviewee is the official source? Friendly? Hostile? What interests are at play? The answers to these questions will help you decide your approach and the order of your questions. Draft a list of questions in the order you want to ask them — but remember, listen to the answers. Do not stick rigidly to your guide; think on your feet and ask follow-up questions or follow new lines of questioning as they emerge.

Your interview guide should have a logical structure that is partly determined by the topic; partly by the nature of the interviewee.

If the source is willing to be interviewed and you feel confident that you will get the information that you want easily, your plan and question guide can be relaxed.

But if you believe the official source does not want to speak to you, or will try to confuse you with spin or just toe the official line, the order of questions is very important. A good way of putting a difficult or reluctant interviewee off their guard is to start by asking for
information that you know they feel comfortable with, then switch
to more difficult and probing questions.

If you have time, discuss and test your interview strategy and guide
with your news editor or colleagues.

**Take your notes to the interview**

You will have done some background research and made notes. Bring them with you and make sure they are organized so that you can quickly refer to them if you need to challenge something your source says. Make sure your question guide and your notes work well together. For example:

**Be sceptical, challenging and probing, but always be polite**

Journalists hold the powerful to account and serve the public’s right to information, and therefore have a responsibility to challenge powerful institutions and people. But this does not mean being rude. Always respect your sources; be direct, but not argumentative or aggressive.

Be provocative if necessary. Do not be afraid of confronting the interviewee with other points of view. This is also a way of ensuring the other side of the story is reflected in the interview. For example:

“You say that the police attacks on the demonstrators were justified. But the opposition National Party says they were completely unprovoked. What is your response to the National Party’s point of view?”

**Stay in control of the interview**

You are the interviewer, therefore you are in control. Official sources may try to use their power and knowledge to take control of the interview. Guard against this. If you lose control, the interviewee has won, and you will not be able to fulfil your role as a journalist. The public will hear only public relations, spin and the official line.

Do not let the interviewee ask the questions. If this happens, politely assert your position: “Thank you, but I am conducting the interview here.” And then immediately ask another question.

**Remind yourself to be strong**

As you go into the interview, remind yourself to be brave and strong. You are going to have to ask difficult questions. Be prepared to do this.

**Look – and be – confident**

Good preparation will give you confidence. As with any interview,
you must also look confident and professional. Dress properly and be sure you have the right equipment (tape recorders, cameras) and be sure the equipment works. If you have a camera crew or any other team members, be sure that they are also professionally dressed, and well-briefed about the interviewee and the interview.

Be human
If the official source says something that shocks or surprises you, do not be afraid of showing your feelings. This will add to the interaction between you and the source, and it will help inform your audience. This is especially important for TV and radio journalists: your reactions will help shed light on the issue.

Keep your emotions in check
Official sources may tell outright lies. Challenge and probe; try to expose the lie, but do not show anger. Do not be aggressive, argumentative or rude.

Challenge the official line
Watch out for public relations, spin and disinformation, and challenge these when you recognize them. The best way to challenge these is to assert what you know. For example: “But according to the government’s own White Paper on Access for the Disabled, only 23% of hospitals have wheelchair access.” Or, you could quote other sources. For example: “But Sir, only two weeks ago the Minister of Defense said that the army was involved in the northern part of the country…” The more you know about the issue, the more likely you will be able to ask challenging questions and get official sources to move away from the official line.

Concentrate and be quick on your feet
While you listen to answers, think about your next question or which direction you want to go next.

Rely on your instincts
If you believe what you are hearing is not true, trust your instincts. Challenge and probe.

Ask for opinions as well as information
Official sources are likely to be more comfortable with information and facts. One way of challenging is to ask for their personal opinions. They will resist, but they may also be discomforted and give information they did not intend to.

Know where you are going
Avoid asking questions when you are absolutely uncertain what the answer might be. You do not want to be caught by surprise, or put on the back foot. Official sources sometimes introduce new information into interviews in order to change difficult lines of questioning. Watch out for this.
NOTES
There are thousands of sources of information about human rights and human rights abuses. The challenge for journalists is often not finding information, but assessing it for accuracy. Some of the main sources are the UN and the many UN agencies. In general, these organizations and other international organizations like the World Bank can be trusted. They have large staffs deployed to many places.

Similarly, there are well-known NGOs that employ well-qualified and trained field staff in many countries.

Two of the best-known NGOs are Amnesty International and Human Rights Watch (see page 165). Both of these NGOs put out regular bulletins highlighting human rights issues and violations. They also conduct in-depth research and analysis.

It is worth going online and registering to receive their bulletins and alerts. It is also worth taking a look at what they say about human rights in your country.

Amnesty International and Human Rights Watch take a broad, inclusive approach to human rights. But there are also many other human rights awareness raising and “watchdog” organizations at international, national and local levels that focus on specific human rights issues.

These organizations pump out reports, analyses, bulletins and appeals in the thousands, about women’s rights, children’s rights, disappearances, detentions, harassment of journalists, unlawful killings, health rights, rights to water, lesbian, gay and transgender rights, and many other topics. They are extremely useful sources of information.

Many NGOs do good work and often are the most knowledgeable about situations because they are on the ground working directly with human rights issues. But they have agendas. They are activists and they are constantly seeking publicity. Sometimes, they have been accused of sensationalizing reports in order to gain support for campaigns, or to impress and attract funders and subscribers.

Some NGOs are funded by governments and have political agendas. Others are funded by philanthropic donors and so seem more independent, but may also have political or religious biases. Follow the money.

“DIFFERENT OBJECTIVES”

“Media organizations and advocacy groups stay independent of each other for good reason. They are pursuing different objectives. Journalists’ refusal to distribute content produced by others protects against the partisan abuse of the media space. Meanwhile, international advocacy groups are wary of drifting from their core mission into the media business.”

Human rights NGOs are normally extremely careful about protecting their sources — understandably, because of the potential risk to the people who give them information. It is essential for the NGO to be careful, but it makes their information difficult to verify and harder for journalists to use.

So, as with any other source, handle information from human rights organizations with care. Try to confirm it elsewhere. UN officials, Human Rights Watch and Amnesty International are usually willing to share their opinions about the work of local NGOs. Always make sure you clearly attribute the information to the source, so that your readers and audiences can make up their own minds about the truthfulness of the information.

Don’t dismiss NGOs. In spite of their agendas, they are useful sources of information, especially for background, context and statistics. They will also happily give you lively quotes and comments because they want publicity.

Human rights organizations also create news — organizing rallies, discussion forums, protests, and other events, so it is important to build good contacts in those organizations.

No matter how just or right you think they are, no matter how much you believe in the causes they take up, avoid becoming too closely associated with them or you will be in danger of losing your own independence. There is also the risk to your credibility. If the public associates you too closely with an NGO, your stories will be perceived as biased.

**WARNING!**

Local human rights groups are sometimes associated in the public’s mind with opposition political parties. Sometimes the association is real and there are links. But sometimes even independent local human rights groups are perceived to be part of the opposition, especially if they expose government human rights abuses or failure to implement international human rights standards.

Quoting these groups may cause your audience to believe your story is biased. It is important to be clear with your audience. For example:

**For an NGO that is not independent, you could say:**

Youth for Human Rights, an NGO that has links to the African National Congress, said in a statement...

If you are not sure about the NGOs political links but they are perceived to be politically linked, you could say:

Youth for Human Rights, an NGO that is widely believed to be linked to the African National Congress, said in a statement....

The NGO may respond by denying the links. If this happens, you would have to publish their denial.

**For an independent NGO, you could say:**

Human Rights Women, an independent NGO, said in a statement....

You could also include short background information on the NGO, saying, for example, where it gets its funding from:

**Clarification may not solve the problem of perceived bias, but it will help!**
WORLD-RENOWNED HUMAN RIGHTS WATCHDOGS

AMNESTY INTERNATIONAL WWW.AMNESTY.ORG
- Campaigns to end grave abuses of human rights by governments and any other institutions anywhere
- Experience: started in 1961
- Membership-based: Has 3 million supporters, members and activists in 150 countries
- Reports, bulletins, alerts
- Publishes up-to-date information about human rights issues and individual country assessments and reports.

HUMAN RIGHTS WATCH WWW.HRW.ORG
- Dedicated to supporting and defending human rights by shedding light on abuses and violations across the globe
- Experience: started in 1978
- Deploys fieldworkers in many countries to interview eye-witnesses and victims of human rights abuses, and passes this information on to journalists
- Reports, bulletins, alerts
- Publishes up-to-date information about human rights issues and individual country assessments and reports

DO YOU HAVE THEIR CONTACT DETAILS?
Do Amnesty or Human Rights Watch have offices, representatives or staff in your country? Do you know who they are? Write down their details in the table on page 95.

NOTES
Use this space!

What civil society organizations and NGOs are there in your country that will have useful information about human rights issues? Who could you contact for background information and quotes?

Work on a comprehensive contact list, using the table below for details:

<table>
<thead>
<tr>
<th>Name of organization</th>
<th>Issue / focus</th>
<th>Address and website</th>
<th>Name of your contact or the spokesperson</th>
<th>Position of contact person</th>
<th>Phone number; email address</th>
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Using anonymous sources

Whatever the value or amount of information, you must handle requests for anonymity with great care.

For journalists working on human rights issues, anonymous sources are a special category. Human rights stories are always political and often emotional. They will always produce strong reactions, positive and negative, and people will want to take sides. Human rights reporting can lead to further investigation and prosecution. Those in power, or perpetrators, are likely to react strongly. They may attack the media verbally or even physically. Or they may use violence to try to silence your sources. Your stories could lead to further human rights violations.

The strong reactions and violence may not be your fault. But fear of retribution will affect your work, and may prevent your sources from speaking to you. Some sources may want to remain anonymous; out of fear, they will only speak to you if you can guarantee that they will not be named.

Using anonymous sources

Anonymous sources may give you the core of a story; sometimes background or insider information; sometimes just a tip-off. Whatever the value or amount of information, you must handle requests for anonymity with great care.

Should you use anonymous sources?

This is a difficult decision that raises serious ethical issues. Some media forbid the use of anonymous sources. Others allow it, but with strict guidelines.

In general, sources who speak on the record are always the best option in any story. But sometimes, you do not have a choice. Some stories would never be published if journalists did not have the option of allowing sources to be anonymous.

Why use anonymous sources?

- To get the story out if there is no other way.
- To protect your source. Sources may risk their reputations, jobs or even their lives by speaking to journalists.
- To protect your relationship with your source. If you fail to protect a source who has asked to remain anonymous, you will lose that source.
- If you use them carefully, anonymous sources can be very useful.

Why is it better to use named sources?

- Named sources give the story credibility: they are like witnesses.
- They are more likely to tell the truth.
- They are less likely to change their story.
- The journalist is seen to be acting professionally; that is, reporting what is happening, what others see and say.
- Readers can make up their own minds about whether to believe what the source says, based on the person’s reputation or position.
What are the arguments against using anonymous sources?

- Anonymous sources create an atmosphere of gossip, rumour and speculation.
- The public might think the journalist is making the story up.
- Anonymous sources may be promoting certain agendas or interests and using the journalists for their own ends, leading to bias.
- It is harder for the public to decide whether to believe what the source says, because they don’t know the person’s reputation, position, or connections.

What should you do if you believe a source might be at risk?

Any source in a human rights story could be at risk, whether named or anonymous. So you always have to assess the risks. Whenever you believe there are risks to sources, ask:

- Who else is working on the issue? Are there any NGOs or human rights groups who are happy to be public and who you could use as a source for the same information? There might be less of a risk for an organization with a high public profile.
- How might your story be used? Who will pick up the information and use it to further their interests?
- Are their interests good or bad?
- What are the possible results? For example:
  - Prosecutors for the ICC might use your story for the basis of investigations into individuals linked to human rights abuses. Your sources become potential witnesses and the risk to their safety is high.
  - Your story might lead to local police investigation. The risks to the safety of sources are also high.
  - Your story might lead to one or more people losing a job.
  - It may lead to stigma, for example, HIV/AIDS sufferers and women who have been raped are often stigmatized by their communities when their names are published. They may be isolated and excluded from communal resources, like wells.
  - Relatives of sources may be targeted; for example, their children may be bullied at school.

If the source wants to be anonymous, ask the source directly: ‘Why do you want to remain anonymous?’

Carefully assess the answer. Ask yourself: Why do I think they want to remain anonymous? What are the advantages for the source? What are their interests or agendas in publicity? Are they perhaps using me to take revenge on someone? Could they deny the story afterwards?

What happens if you are challenged to identify or disclose your source?

Anyone can challenge you to identify your sources. Problems only arise if those who want to know who your informants are use force. Force can either be illegal — you could be detained or beaten up; or legal — you could be summoned to give evidence.

A summons to appear in court will cause serious problems if you have promised to protect your sources. In deciding what to do if you are on trial for refusing to disclose your sources, you will have to weigh many factors: the likely sentence (will you have to go to prison or pay a fine?); the risk to your credibility; the risk to the safety of the source; and the likelihood of being able to defend your case successfully. You could discuss the issue with the source, but if s/he absolutely refuses to be named, you will have no option but to face the consequences.

Most countries do not guarantee a journalist’s right to protect sources, and journalists in many countries have been sent to jail for refusing to identify their sources in court.

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**Anonymous Sources: The Golden Rules**

- Once a promise of confidentiality has been given, it must be honored
- All sources of information must be carefully and critically assessed and checked
- The anonymous source must be reliable; the information must be accurate (as with all sources)
- Try to quote anonymous sources as little as possible; rather use their information as background and try to get others to go on the record
- Only use anonymous sources if they are essential to the report
- Only quote anonymous sources when you are giving information, not opinion or speculation
- Follow your outlet’s ethics policies on using anonymous sources
Torture is a human rights violation and a crime against humanity. See the summary of the Convention Against Torture (CAT) on page 144. The following list of practical “do’s and don’ts” for interviewing torture survivors was written by Miron Varouhakis, a journalist with many years’ experience interviewing and interacting with torture survivors and health professionals working to rehabilitate torture survivors.

The do’s and don’ts of interviewing torture survivors

If you are working on a story that will require you to interview a torture survivor, make sure that you go well-prepared.

Conduct research beforehand about the individual’s case and the human rights situation in his or her country of origin. Try to find background information that can help you have some understanding of the details of the story. Each case is different.

Prepare your list of questions before the interview. Do not start with the difficult questions, because you may provoke a strong emotional response that may cloud the rest of the interview, or put the interviewee off. Include many open-ended questions that will allow the survivor to tell their story at their own pace.

Do not overdress for the interview. Also, make sure that you don’t wear any articles of clothing or jewellery that may raise tension or agitate the torture survivor(s). Many of the survivors have been tortured for their political and religious beliefs, race, ethnicity, nationality, and other reasons. So make sure that your clothing and jewellery do not exhibit national or religious emblems, logos or statements.

Ideally, female reporters should interview female torture survivors and male reporters should interview male survivors. If this is not possible, then ask the survivor if being interviewed by a member of the opposite sex would be all right with them before you meet for the interview. Many female victims of torture have been raped and sexually abused by male torturers, which could make it difficult for them to open up to a male interviewer. Males from some cultures are not accustomed to talk about their private affairs with women.

Ask permission beforehand if you want to take photographs, audio recordings or video of a torture survivor. Don’t assume that the survivor will have no objection. Many survivors have fled their countries to escape persecution and publishing their photo would expose them to danger. Some torture survivors were forced to make false confessions, so they may fear that an electronic recording of their testimony will be used against them. You may be able to reach a compromise by agreeing to obscure their face or their voice, but you need to negotiate this in advance.

Discuss in advance an appropriate location for the interview. You want to make sure that the person feels comfortable. Avoid basements and small windowless rooms. Ask them to suggest appropriate venues.

When you meet with a torture survivor be courteous but avoid making any facial expressions or verbal comments that show pity.
Remember that torture survivors have endured and survived some of the most horrible acts you can imagine. The fact that they have survived and that they are willing to share their story with a public audience means that they are strong people. They don’t want pity but they do deserve sensitivity and respect.

Before you start the interview, ask the torture survivor what name he or she would like used in the story. Using their real name might put them at risk. Also, ask the interviewee if they would like to be identified as a “torture survivor” or “torture victim” in the story. Some of the survivors may prefer to be identified as a victim.

Maintain eye contact throughout the interview and be a good listener. They are trusting you with the most painful moments of their lives, so they deserve to have your full attention.

Avoid distractions during the interview. Turn off cell phones, beepers and any other electronic communication devices that you may be carrying with you. Many survivors suffer from post-traumatic stress disorder and disruptions could trigger intrusive recollections (flashbacks).

Remain calm even when the torture survivor shares gruesome details of their torture. Try to avoid facial expression of horror or grief. Torture survivors will appreciate your empathy and concern, but extreme reactions can make them feel worse. Do not reach out to them or comfort them physically. Do not use expressions that have religious connotation (such as “Oh my God,” “Jesus,” etc.). Do not trivialize their experience (for example, by saying “that must have hurt,” or “that must have been hell.”). Don’t patronize them. Don’t ask invasive questions (“how do you feel?” etc.). Just listen closely and be calm and attentive. If you can’t control your emotions, ask for a brief recess.

You should be ready to accept that a torture survivor may feel uncomfortable answering a particular question. Don’t press. You should also be ready to accept the possibility that the person may end the interview at any stage if going further becomes too difficult.

What is rape?

Rape is sexual assault. It is forced, unwanted sexual intercourse. Rape can happen to both men and women of any age. Elderly women, baby girls, boys, teenagers, mothers have all been raped. Rape is an issue across the globe and affects all cultures. By far the majority of rapists are men. But men — especially boys — are also raped, and rape is often used as a form of torture in and outside of prison.

Rape is about power, not sex. A rapist uses violence or the threat of violence to take control over another human being. Some rapists use drugs or alcohol to prevent their victim from fighting back. Rape can be committed by a stranger, a family member, a teacher or headmaster, a doctor or a date. Rape can be committed by anyone. It happens in the home and outside of the home, at any time. Rape happens in times of peace and in times of war.

Armies have used rape as a way of controlling and terrorizing the communities they conquer for many centuries. Mass rapes took place during the Second World War, during the Bosnian war, in Kuwait, Indonesia, Somalia, Liberia, Rwanda and many other places. Mass rapes are still being reported from conflict zones, like the Democratic Republic of Congo, parts of Uganda and Somalia.

Rape is always a crime. Rape is always frightening, traumatizing and humiliating.

Society often blames rape survivors (the victims) for the rape, suggesting that the woman “asked for it” by dressing in a certain way or by walking alone at night. However, there is never justification for rape and media must take care not to reinforce such misperceptions.

What are the human rights standards?

Rape is a form of gender-based violence which violates a number of principles enshrined in regional and international human rights instruments.

These include Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Rome Statute of International Criminal Court (1998) and the Geneva Conventions. The UN Security Council has also passed several resolutions regarding rape and sexual violence.

CEDAW

Most countries have ratified CEDAW and the CRC. CEDAW states that women’s fundamental rights include the following:

- the right to life
- the right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment;
- the right to equal protection according to humanitarian norms in time of international of internal armed conflict;

Because of stigma and insensitive treatment of people who have been raped, they deserve a level of privacy not afforded other crime victims.
- the right to liberty and security of person;
- the right to equal protection of the law;
- the right to equality in the family;
- the right to the highest standard attainable of physical and mental health;

The Convention on the Rights of the Child (CRC)
The CRC provides similar protections for children, including against sexual abuse.

The Geneva Conventions
The conventions state that:

“Women must be protected against any attack on their honour, including rape, enforced prostitution, or any form of indecent assault. Women must also not be adversely discriminated against because of their sex.”

—Article 27 of the Fourth Geneva Convention; also, Protocol I, Article 76, Section 1

“Outrages upon personal dignity, in particular humiliating and degrading treatment, enforced prostitution and any form of indecent assault is prohibited at any time and in any place whatsoever, whether committed by civilians or military personnel.”

—Geneva Convention, Protocol I, Article 75.

“Parties to a conflict must respect children, provide them with any care or aid they require, and protect them from any form of indecent assault.”

—Geneva Convention, Protocol I, Article 77, Section 1.

Protocol II makes it clear that these protections also apply in cases of internal conflict.

The International Criminal Court
The Rome Statute of the International Criminal Court recognizes rape as a crime against humanity and as a war crime. “Widespread” and “systematic” rape is included as a crime against humanity (Rome Statute, Article 7).

When rape is committed as part of a “plan” or “policy” during conflict, whether the conflict is between two or more States or happens inside a particular State (internal conflict), it is considered a war crime (Article 8).

The Rome Statute defines rape as having two key elements — invasion/penetration of the body of a person, and force or the threat of force. For further information about the definitions of rape and other sexual crimes against humanity, see the box on page 102.

Rape in war
“Rape is not an accident of war, or an incidental adjunct to armed conflict. Its widespread use in times of conflict reflects the unique terror it holds for women, the unique power it gives the rapist over his victim, and the unique contempt it displays for its victims. The use of rape in conflict reflects the inequalities women face in their everyday lives in peacetime. Until governments take responsibility for their obligations to ensure equality, and end discrimination against women, rape will continue to be a favored weapon of the aggressor.”

—Amnesty International

Some cases of rape in war

- **Bosnia:** During the Bosnian war in the 1990s, Bosniak girls and women were subject to systematic rape. Hundreds were kept in detention centers where they were repeatedly raped by Serbian soldiers and policemen. The International Criminal Tribunal for the former Yugoslavia (ICTY) declared “systematic rape” and “sexual enslavement” in time of war was a crime against humanity. Several people were found guilty and sentenced to long terms in prison.

- **Sudan:** Since the humanitarian crisis began in 2003, women in the western Sudanese state of Darfur have been subjected to rape and other forms of gender-based violence perpetrated by the government-backed Janjawid militia, as well as other armed troops. In many cases, women have been publicly raped in front of their husbands, relatives or the wider community. Pregnant women have not been spared and those who have resisted rapes were reportedly beaten, stabbed or killed. Women and girls as young as eight years old have been abducted during attacks and forced into sexual slavery in the Janjawid military camps.

- **Uganda:** In northern Uganda, the Lord’s Resistance Army (LRA) abducts children, forcing girls into “marriage” and institutionalized rape. Men are “given” women and girls as rewards for “good behavior,” for example, following orders to kill prisoners of war and captured villagers.

- **Sierra Leone:** Abduction, rape, and sexual slavery were also systematic and widespread in the conflict in Sierra Leone. Rape victims often suffer extreme brutality. In one case, a 14-year-old girl was stabbed in the vagina with a knife because she refused to have sex with the rebel combatant who abducted her. In another, a 16-year-old girl was so badly injured that after her escape, she required a hysterectomy.

ROME STATUTE – INTERNATIONAL CRIMINAL COURT – ELEMENTS OF CRIMES

Summary of what the Rome Statute says about six crimes against humanity that involve sex and reproduction.

Note: These are crimes against humanity. In each, the Rome Statute also includes as key elements of the crime:

- The conduct was committed as part of a widespread or systematic attack directed against a civilian population.
- The perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population.

CRIME AGAINST HUMANITY OF RAPE [ARTICLE 7 (1) (G)-1]

1. The perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body.

2. The invasion was committed by force, or by threat of force, including fear of violence, detention and psychological oppression or abuse of power, or the invasion was committed against a person incapable of giving genuine consent (for example, a person who is disabled or too young).

CRIME AGAINST HUMANITY OF SEXUAL SLAVERY [ARTICLE 7 (1) (G)-2]

1. The perpetrator demonstrated “ownership,” such as by purchasing, selling, lending or bartering a person.

2. The perpetrator caused the “owned” person (or people) to engage in acts of a sexual nature.

CRIME AGAINST HUMANITY OF ENFORCED PROSTITUTION [ARTICLE 7 (1) (G)-3]

1. The perpetrator caused one or more people to engage in acts of a sexual nature by force, or by threat of force, or by taking advantage of a coercive environment or such person’s or persons’ incapacity to give consent.

2. The perpetrator or another person expected to obtain financial or other gain in exchange for the sexual acts.

CRIME AGAINST HUMANITY OF FORCED PREGNANCY [ARTICLE 7 (1) (G)-4]

1. The perpetrator confined one or more women forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law.

CRIME AGAINST HUMANITY OF ENFORCED STERILIZATION [ARTICLE 7 (1) (G)-5]

1. The perpetrator deprived one or more persons of biological reproductive capacity.

2. The conduct not justified by medical or hospital treatment carried out with their genuine consent.

CRIME AGAINST HUMANITY OF SEXUAL VIOLENCE [ARTICLE 7 (1) (G)-6]

1. The perpetrator committed an act of a sexual nature against one or more persons or caused such person or persons to engage in an act of a sexual nature by force, or by threat of force.
Why interviewing survivors of rape is different

Many societies value virginity and expect women to be “pure.” Studies show that rape survivors suffer from the stigma of being “damaged” by the experience. Women who have been raped face divorce and abandonment. Women who have been raped sometimes commit suicide rather than live with the shame and humiliation.

Men who have been raped also suffer humiliation and stigma. They are considered lesser men.

Children born to mothers who have been raped suffer for the rest of their lives. Their mothers often reject them and they grow up in institutions. They may be stigmatized because of their father’s crime. Many never find out who their fathers are. Children of raped mothers who do find out who their fathers were suffer shame and guilt.

Rape survivors are less likely to report the crime if they know their names will be published or broadcast. Because of stigma and insensitive treatment of people who have been raped, they deserve a level of privacy not afforded other crime victims. In many places, journalists may not disclose the names of rape survivors even when reporting a court case.

Guide for interviewing rape survivors

- Do not interview anyone who is hysterical or in shock; rather, interview a friend or family member, and go back to the rape survivor later.
- It may be difficult for female survivors to tell their stories to men; likewise it may be difficult for male survivors to talk to women. If the interviewer cannot be a person of the same sex, make sure that the survivor is comfortable talking with someone of the opposite sex.
- Be sympathetic, but keep it short. You most likely don’t know how they are feeling. So something simple, like “I’m sorry about what happened to you” is enough. Anything more might be seen as patronizing.
- Say who you are, which media you work for and who the likely audience will be.
- Tell the rape survivor why you are there and what it is that you want. Ensure they understand that you plan to publish or broadcast a report based on the information you obtain from them.
- Explain that you will not use the rape survivor’s name unless they especially want you to. Stress that you will go to great lengths to protect his or her identity.
Explain what *on the record* and *off the record* mean. Tell the interviewee to use that phrase at any time during the interview so that you will know what information not to publish.

Check the interviewee’s comfort with the length of the interview. Also, is the interviewee comfortable with the venue? Is s/he happy for you to use cameras or other recording equipment?

If interviewing at a hospital, try to get permission from the hospital authorities before the interview.

Start with an open-ended question, such as “Tell me about your experience,” to give the survivor the opportunity to steer the conversation with that with which she or he is comfortable.

Look the survivor in the eye. Do not get emotional even if the details are shocking.

Take breaks for rest or recomposure if necessary for either party.

Interviewing rape victims can be difficult and traumatic. Seek help or counselling if you are feeling emotionally affected by the experience.

**When drafting your story, consider these questions carefully:**

- Are graphic details about the nature of the rape and injuries necessary to tell the story?
- Will graphic details of violence and injury help the community?
- Will readers or viewers be offended by graphic details of the violence and injury?
- Will the rape survivors suffer more because of the details?
- Will this detail help police in solving the crime? Is it your duty to help?

**WARNING! FACTS, FAIRNESS AND BALANCE**

Be especially careful about fairness and balance when most information comes from the victims or survivors of sex crimes.

It usually difficult to find independent confirmation of rape survivors’ stories.

Because of the nature of crime, it is difficult to avoid taking sides.

Ask the interviewee if there is someone else who would be willing to speak – a neighbor who witnessed the incident; someone who knows the suspect; police who are investigating the crime; or prosecutors.

Victim rights advocates may be able to offer thoughts and advice about the story. You may want to discuss the story privately with someone who understands trauma and can help guide you through the survivor’s emotions and help you establish what is more likely to be factual and what information is more influenced by emotion.

If your interviewee wants to have a person with them during the interview, try not to allow that person to interfere, to ask questions or to take over the interviews. That person will have his or her own bias and may influence the story.
Use this space!
Here are some questions to think about when drafting a story about a woman who has been raped:

Would you include these details?
That the survivor had consensual sex with the rapist sometime before the crime?

________________________________________________________________________________________________________

Descriptions of the clothes and makeup the survivor was wearing?
________________________________________________________________________________________________________

That she was drunk?
________________________________________________________________________________________________________

That she was over 18?
________________________________________________________________________________________________________

That she was in an unsafe neighborhood late at night?
________________________________________________________________________________________________________

In many places, there are organizations especially focused on violence against women and rape. What organizations do you have in your country? Who would you consider the main spokespeople on violence against women and rape?

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<th>Name of your contact or the spokesperson</th>
<th>Position of contact person</th>
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Key sources: www.concernedjournalists.org/interviewing-victims-tips-techniques
Ensuring the right to vote

Article 21 of the Universal Declaration of Human Rights and Article 25 of the International Covenant on Civil and Political Rights enshrine the principle of the right of citizens to vote for their governments through elections that are free and fair.

Most countries have laws and regulations about what media may and may not do during elections. Mostly, the laws and regulations try to ensure that coverage of the different political parties is fair and balanced.

Here are some guidelines for covering elections that will help you meet international standards and — if your country has them — national election laws.

Guidelines for covering elections

Be fair:

- Strive to provide equal coverage of each candidate and issue.
- Place politicians' remarks in context. Quote sources accurately.
- Avoid words and descriptions that convey bias.

In reporting elections:

- Go beyond routine coverage of press conferences, speeches and rallies.
- Cover the issues as well as the candidates.
- When an issue is under debate, do your own research and call on neutral experts to explain the facts as opposed to claims of supporters or opponents.
- In the case of a candidate, do the research that will allow you to ask tough questions.
- If the candidate makes an error in fact, give him or her the chance to explain, but inform your readers of the mistake.
- Use multiple sources, supporters, opponents and experts. Give readers the information to predict what the candidate might do in office and what concrete change will happen if a ballot issue is approved.
Follow the money: Identify who is supporting the candidate or issue financially and why. What policies are they promoting? What potential conflicts of interest do they have (the desire for government contracts on a project the candidate promotes, etc.)? Identify NGOs that track campaign finance spending and adherence to election laws: they may be able to provide you with valuable information.

Inform the readers of the political affiliations of those you quote.

The numbers:

Be skeptical of polls. Determine who sponsored them; whether the questions were worded to encourage certain responses, whether the sample size is adequate and reflects voter demographics. Explain polling methods and accuracy rating to readers.

Don’t trust candidates’ crowd estimates. Ask police or other official sources. Better yet, estimate it yourself using the Jacobs method if you were there.

Don’t trust candidates’ claims about government budgets or other financial information. Verify their arithmetic.

Source: Adapted from guidelines by the International Center for Journalists www.icfj.org/

ESTIMATING CROWD SIZE

The Jacobs method for estimating crowd size was developed in 1960 by Herbert Jacobs, a journalism professor at the University of California, Berkeley. It yields only a rough estimate but allows journalists who do not have access to helicopters or aerial photographs to approximate crowd size themselves.

1. Determine the density of the crowd:
   - A loose crowd, where each person is at arm’s length from the next person, gives each person about 10 square feet (0.93 m²) of space.
   - A tight crowd, where people are more tightly packed but still have room to move around, gives each person about 4.5 square feet (0.42 m²) of space.
   - A moblike crowd, in which people may have difficulty even turning around, gives each person about 2.5 square feet (0.23 m²) of space.

2. Determine the amount of space (in square feet or meters) occupied by the crowd.

3. Divide the total area by the estimated number of square feet/meters occupied by each person.
Digital tools and technologies are making it easier for journalists to do their work — to research, verify, store, and publish information on computers, mobile phones, and the Web.

However, these same technologies can put journalists at risk if they are not used with care. Reporters who cover human rights issues — who call public and international attention to crimes and wrongdoing — are at special risk.

Several repressive governments and powerful corporations have used sophisticated surveillance technologies to track down journalists (both professional and citizen) and punish them for their work. If journalists are not careful to “cover their tracks” when working online, anyone with an interest and a few basic hacking skills can trace the journalist’s steps, potentially putting both the reporter and his/her sources in danger.

That’s why every human rights reporter needs to know basic digital security precautions.

What is digital security?

“Digital security” is a combination of tools and habits that users can use to prevent others from secretly monitoring their actions online, accessing or tampering with their electronically-stored information or communications, and interfering with their electronic devices or programs.

No set of precautions or tips can fully guarantee the safety and security of you and your data, but following some basic guidelines can help keep you and your sources safer.

Evaluating your digital habits

The first step to creating a digital security plan is evaluating the environment in which you work and assessing the level of risk to which you may be exposed.

You can start your own evaluation by answering the following questions:

- Where do you usually carry out your work: in an office, at home, or in a public place like an Internet café or library?
- Who has access to this space? How much do you trust those people?
- Do you use your own computer or a shared computer?

Digital security toolkits

- "Digital Security and Privacy for Human Rights Defenders" PDF guide (by FrontLine)
- Security-in-a-Box online tutorial (by FrontLine and the Tactical Technology Collective)
- SaferMobile’s primer
Is the computer you use (or your account on a shared computer) protected by a password? Does anyone else know that password?

Where do you store your sensitive data? On your computer? Phone? USB drive? Do you ever print sensitive materials?

How do you transfer and discard information that you have stored electronically?

What could happen if someone had access to those materials?

See Section 1.2 of FrontLine’s “Digital Security and Privacy for Human Rights Defenders” PDF guide (www.frontlinedefenders.org/files/en/esecman.en_.pdf) for a complete set of questions you should answer to help determine your particular security needs. Then, go on to Section 1.3 for help creating a threat assessment and a reaction plan to prepare for a variety of problematic situations.

Gathering information and communicating with sources safely

Journalists’ increasing reliance on electronic tools for gathering information and communicating with sources — whether through online searches, email communications, instant messaging, Skype conversations or social media — raises digital security concerns. Most of these channels of communication can easily be monitored by people who wish to ensure that the journalist’s story never receives an audience.

As a reporter, your best defense is to become informed about the risks and vulnerabilities you face, and then modify your habits to minimize these risks. See the text box for some helpful online guides that will lead you through this process. You might also consider participating in a targeted digital security training if possible.

To maintain privacy and security as you research a story and communicate with sources:

- Browse the web anonymously using an anonymity network like Tor Browser Bundle.
  2. Download the Tor Browser Bundle appropriate for your operating system.
  3. Extract the files and click “Run” when prompted. If Tor Browser does not open automatically, click “Start Tor Browser.exe” in the folder you’ve extracted the files to.

- Erase your browsing history and “cookies” (tags that websites use to identify your computer) from your Web browser after each use. Depending on your Web browser, you can usually do this by changing your “History” or “Privacy” settings under the browser’s “Options” or “Tools” menu. You can also erase your history, cookies and other browser traces with free utilities like CCleaner (www.piriform.com).

- Improve the security of your email and instant messaging services by only using those that provide a Secure Sockets Layer connection (SSL, denoted by the “s” in “HTTPS” in the URL), like Gmail or, better yet, RiseUp.
  - Most free webmail services (like Yahoo! and Hotmail, for instance) provide secure access to your inbox, but send messages openly by default, so they could be intercepted anywhere along the way. Gmail offers a secure connection even when sending and receiving messages if you access your account through https://mail.google.com (as opposed to http://mail.google.com, without the “s”). However, Google records the content of users’ messages for various purposes and has complied with demands of governments that restrict Internet freedom in the past, so it’s best not to rely on them for full security.

- STRONG PASSWORDS...
  - Contain at least ten characters
  - Include at least one character from each of the following categories:
    - Uppercase alphabet
    - Lowercase alphabet
    - Numbers
    - Special characters (e.g. !, @, #)
  - Are never the same as – or contain any part of – your username
  - Never contain personal information about you, your relatives or pets
  - Never contain commonly understood sequences of letters or numbers (e.g. “1 2 3...” or “A B C”)
  - Do not contain large parts that can be found in the dictionary

  Extra tip: One way to make an existing password stronger — especially against automated guessing programs — is to make it longer.
- RiseUp (https://riseup.net/en) is a free webmail service built for activists that takes the security of its users extremely seriously and has successfully defeated subpoenas by US authorities to get access to their server records. In order to create a new account on the service, you will need two invite codes from users already registered on the site, or you may have to wait up to a few weeks for RiseUp to approve your account request.

- The email client Mozilla Thunderbird (www.mozilla.org/en-US/thunderbird/) can support advanced security features like PGP encryption, using the free Enigmail add-on and a free encryption application called GnuPG.

- Visit Security-in-a-Box for more tips and step-by-step instructions on all of these services (www.securityngoinabox.org/en/chapter_7_1).

Increase the security of your mobile phone with tips from SaferMobile and Security-in-a-Box. The basics include:

- Always keep your phone with you and make sure to protect it with a passcode that is not easy for others to guess. Never share this passcode with others.

- If you are worried about maintaining anonymity, change phones and SIM cards often (making sure to wipe your phone of any data before exchanging). Changing the SIM card, alone, is not enough to protect your identity.

- Use unregistered, prepaid SIM cards if this option is available to you. Always pay in cash for SIM cards.

- If you are worried that your movements might be tracked, carry your phone turned off with the battery removed until you come to a safe place where you will make a call. After the call, switch the phone back off and remove the battery again. If you do this between every call, the phone cannot be used to trace your movements.

**Storing information securely**

Even if you are careful about covering your tracks while you browse the web and speak with sources, you will need to store the information you gather somewhere other than in your own head. The simple act of putting something “on paper,” even virtually, makes it vulnerable to discovery.

To ensure that the information you store is as secure as possible:
Protect your computer and mobile phone with strong passwords that only you know. See the text box (below) for tips on what makes a strong password.

Never share your passwords with anyone else, never write them down except in a secure password storage service like KeePass (www.keepass.info/), and use different passwords for every device you use. Also, use a different password for every web account that you maintain, such as your email, Facebook and Twitter accounts.

Never leave your computer unattended with sensitive documents open or unlocked, even for a few minutes. Instead, log out of your user account, and make sure that your computer requires a password to log back in.

Be careful never to leave behind any device with sensitive information stored on it in a café, taxi cab, etc. Don’t carry your phone in your pocket or in an unzipped bag, where it could easily be stolen without you noticing. In addition, use a passcode for your phone and enable it to “lock” automatically after short periods of time. If your phone supports long passphrases, rather than just four-digit codes, choose that setting.

Consider encrypting particularly sensitive information stored on your hard drive or USB drive. Security-in-a-Box tells you how to do this using software called TrueCrypt, which stores your files in a sort of electronic “safe” that you access with a password (www.security.ngoinabox.org/en/chapter_4_1). (Do not forget this password or you will lose access to your data!)

To begin:
2. Download the version appropriate for your operating system.
3. Save the installer to your computer, then find it and double-click it.
5. Instructions for getting started using the software are available at www.security.ngoinabox.org/en/truecrypt_standardvolumes.

Delete your files securely. Just pressing “Delete” or emptying your Recycle Bin won’t prevent someone from recovering your files later. To be sure your files can’t be recovered — whether on your PC, camera, USB stick or phone — follow these directions:
1. Download, open, and run the free, open-source tool Eraser from Security-in-a-Box. (www.security.ngoinabox.org/en/eraser_main). (Note: newer versions are available, but they may require downloading the .Net framework, which can take a very long time for users with low bandwidth.)

Publishing information anonymously
When you publish or post a story on a human rights topic, either you or your sources may wish to remain anonymous. Protecting the anonymity of your sources at this point draws on basic journalism skills of withholding identifying details and finding other ways to corroborate what sources have told you if possible. You also can publish online without revealing your identity by blogging anonymously. Global Voices has put together a step-by-step guide that will teach you how to do so (www.advocacy.globalvoicesonline.org/projects/guide/).

The basic steps include:
1. Download and install the Tor Browser Bundle (www.tor-project.org/download/download-easy.html.en) and use that to surf the web and disguise your IP address. You also can run the Tor Browser Bundle from a USB key if you work on a shared computer.
2. Create a new, hard-to-trace e-mail account that does not contain personal information and is not tied to your other accounts or your mobile phone.
3. Launch Tor and, when the Aurora browser automatically opens (after Tor has started working), create a new WordPress

“No set of precautions or tips can fully guarantee the safety and security of you and your data, but following some basic guidelines can help keep you and your sources safer.”
Final thoughts

Maintaining digital security is not something you can do once and forget about. It is a continuous process that requires constant awareness of potential threats and vulnerabilities and proactive work to address them. It may seem daunting, but the benefits you will gain from taking the steps to protect your own safety and that of your sources are well worth the effort.

NOTES

PHOTO CREDITS: Unless otherwise noted, all photos are drawn from Internews’ own image archives.

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blog registered under your new anonymous e-mail address. (www.en.wordpress.com/signup/)

4. Write your posts offline. When you are ready to publish…
5. Log into your new Wordpress blog, edit the blog’s timestamp, and post it.
6. Securely erase the rough drafts, browsing history, cookies, and passwords from your browser.
7. Repeat Steps 4-6 every time you post.