GLOBAL CODE OF CONDUCT FOR GATHERING AND USING INFORMATION ABOUT SYSTEMATIC AND CONFLICT-RELATED SEXUAL VIOLENCE

13 April 2022

Foreword

This is a voluntary Code of Conduct which distils existing minimum standards for the safe, effective and ethical gathering and use of victim or survivor ("survivor")[1] information in relation to systematic and conflict-related sexual violence ("SCRSV").[2] It addresses those who document, investigate, report on, research, monitor and otherwise collect ("gather") and use such information.

The Code is rooted in international law, including the fundamental human rights of survivors, such as the rights to dignity, privacy, health, security, access to justice, truth, and an effective remedy. As such, the Code reflects universal, non-negotiable core standards which should be applied by all actors in all contexts to uphold a survivor-centred approach. The Code embodies standards applying to individuals *and* to organisations, which should embed these standards in systems, policies, procedures, contracts and practice.

The Code is not a licence or encouragement to gather and use SCRSV information. It does not summarise or replace important technical guidelines in different sectors. The Code is not a shortcut to becoming and remaining competent to do this work responsibly and in a survivor-centred manner.

The Code is framed in the collective "we" to emphasise our voluntary commitment to work together to build and maintain safer and more effective survivor-centred practices. "We" signifies the important principle, "nothing about us, without us, is for us", and working together with survivors, many of whom are also documenters, activists, lawyers, health workers, counsellors, etc., to promote their rights and choices. The Code has been developed through an extensive global consultative process, including survivors at every stage. "We" refers to individuals, teams, stakeholders and organisations in and across different contexts, including governments, inter-governmental organisations, civil society and funders. "We" rarely work alone, and shared standards across sectors can enable individuals, teams and organisations to work together responsibly.

This Code of Conduct applies:

- to the direct, indirect, in-person and remote gathering of information from and about survivors in any form (including digital, written, verbal, audio-visual, photography) and its subsequent transportation, transfer, storage, use, sharing or publishing,
- in relation to SCRSV (defined broadly and inclusively),
- for any purpose which involves sharing or publishing such information, but excluding information-gathering for the purpose of immediate care or support of survivors.

It should therefore be applied, for example, by human rights investigators, documenters, monitors and activists, including open-source investigators; criminal investigators; other officials and experts who gather, seek or receive SCRSV information, including immigration and asylum officials and medico-legal experts; journalists; researchers; interpreters; and community-based support organisations, survivor groups and humanitarian workers who gather and share or publish such information (other than for immediate care and support purposes). It should also be applied by those who appoint, manage, fund and otherwise support or facilitate such information-gathering and use, including policy-makers. This is a not a complete list.

The current SCRSV focus of the Code stems from the origins of the initiative to identify and distil SCRSV standards and some factors specific to sexual violence, such as the societal attitude and stigma which further harm survivors. However, many of the standards in the Code apply equally to gathering and using information from or about survivors of other crimes and human rights violations.

"Survivor" includes survivors of all ages, including adults and children (persons under 18[3]), and all genders and identities.[4] SCRSV has a disproportionate impact on women and girls (situated within a broader continuum of violence arising from systemic gender and other inequities), which results in multiple harmful repercussions in their lives and affects our work. We should also factor into our work the breadth of other survivors, such as persons with disabilities, persons from LGBTQI+ communities,[5] men and boys, and the overlaps in such identities.

The Code emphasises the need to recognise the individuality of survivors and to avoid making assumptions based on the groups that they belong to or on any single facet of their identities.[6] For example, "children" are not a homogenous group and include people who are very diverse in terms of their age, maturity, resilience, education, gender, other identities and situations. Tailoring our approach to the individual strengths, needs and realities of survivors facilitates more effective and survivor-centred information-gathering and use.

Preparation is essential. We should actively avoid unplanned information-gathering and use, especially if we do not have the necessary systems, policies, procedures, risk assessments and plans in place. We must also address our over-reliance on survivor information. If we all decide that we need information from survivors, we create multiple demands and pressures on survivors and amplify risks of exposure and re-traumatisation. Whenever we can, we should look for SCRSV information from sources other than survivors (such as fact-pattern witnesses and expert reports) to reduce pressure on survivors.

The Code reflects that if done properly, those who gather and use information about SCRSV can avoid the false choice between being either survivor-centred or effective.

The Code's principles and commitments are all inter-connected, mutually reinforcing and important. The numerical order does not signify priority or importance.

OVERARCHING PRINCIPLES

- UNDERSTAND SURVIVORS AS INDIVIDUALS
- RESPECT SURVIVOR CONTROL AND AUTONOMY
- BE RESPONSIBLE & HAVE INTEGRITY
- ADD VALUE OR DON'T DO IT

PREPARATION PRINCIPLES

- PREPARATION IS THE FOUNDATION
- KNOW AND UNDERSTAND THE CONTEXTS
- BUILD SYSTEMS, COMPETENCY AND SUPPORT

IMPLEMENTATION PRINCIPLES

- GATHER INFORMATION FROM OTHER SOURCES
- TAKE THE TIME, CREATE THE SPACE
- ENSURE RESPECTFUL AND SAFE INTERACTIONS

OVERARCHING PRINCIPLES

These are overarching principles which apply to all stages of preparation and implementation. They should be read into every principle of the Code.

PRINCIPLE 1. UNDERSTAND SURVIVORS AS INDIVIDUALS

1.1 Adapt to survivor's individuality: We respect that each survivor is unique. We will tailor our approach to their specific identities, characteristics, groups and contexts, such as their age, gender, evolving capacities, resilience, relationships with and connections to others, socio-economic and political situation, and the discrimination they face.[6] We recognise that such elements change over time and context and that our approach may have to be adjusted accordingly.

1.2 Counter assumptions: We will not make assumptions or generalisations about survivors or their experiences, such as how they 'should' behave or react, their vulnerability, trauma, resilience, gender, disabilities, capacity, maturity, reliability, needs or concerns.

1.3 Ask the survivor: Following initial preparation work, we will ask the survivor, including child survivors, about what they want, their priorities, concerns, risks and current situation. We will respect and reflect these to the extent possible within our mandates and resources.

1.4 Prioritise survivor safety: We will continuously prioritise a survivor's safety, well-being and dignity ahead of our objectives. We will work to understand the risks and repercussions to survivors and those around them which could arise from any contact with us. Such risks can include revictimisation, reprisals, stigmatisation, physical, online, information and communications safety risks, and legal risks.

1.5 Identify heightened risks: We will take additional, specific precautions when there are heightened risks of further harm. We recognise that any individual may face heightened risks which may change over time and context. Heightened risks may arise for child survivors including children born of war and unaccompanied children, persons from LGBTQI+ communities, persons with disabilities or with limited literacy, persons from indigenous or marginalised groups, and others.[6]

1.6 Support access to justice: We will support a survivor's right to exercise their rights (or not), such as to an effective remedy, truth, access to 'justice' (however defined by the survivor) and transformative reparations. We will not negatively impact a survivor's own priorities, ability to advance or claim rights, or choice to participate (or not) in accountability processes. Although records or reports of interviews may benefit survivors in later processes, we will mitigate the significant risk that prior interview methodology and records can also be used to argue that the survivor's account is inconsistent or have been unduly influenced.

1.7 Respect self-identity: We will respect and reflect a survivor's choice and expression of identity (such as gender, pronouns, disabilities and other characteristics) and avoid labels or characterisations which offend, sensationalise, marginalise, stigmatise, endanger or are otherwise harmful.

1.8 Be inclusive and do not discriminate: We will not engage in or tolerate any form of discrimination[6] including by those who support our work. We will seek to include and make reasonable accommodation[7] for those who are often excluded or silenced due to persecution, marginalisation, presumed lack of agency or capacity, or being overlooked as victims.

PRINCIPLE 2. RESPECT SURVIVOR CONTROL AND AUTONOMY

2.1 Avoid approaching survivors unexpectedly: Whenever possible, we will work through existing and vetted access or referral points or we will create safe pathways so that a survivor can decide to approach us or be placed in contact with us. We recognise that approaching survivors ourselves or through someone else (rather than creating safe ways for a survivor to choose to come to us), can heighten risks of harm and pressure survivors to cooperate, reducing genuine free choice.

2.2 Respect a survivor's choices: We respect an individual survivor's choices as the fundamental basis for all aspects and stages of our interaction. We will ensure that a survivor has full, clear and honest information about our affiliation and purpose, our methodology, and their options, rights and risks, including the confidentiality and deidentification, use, sharing or publication of their information. We will provide this information in an understandable and accessible format for the survivor to inform their decisions whether to engage with us or not, and on what terms. We will be clear with survivors that they can pause or terminate any interaction with us, and decide not to answer any particular question. We will respect a survivor's decision not to participate or continue.

2.3 Survivor control over their information: We will respect and support a survivor's right to privacy, which we understand to include control and autonomy over their personal history, identity and image. We will protect any personal survivor information or data (in whatever form) as confidential. We will not use or share that information without their express informed consent.

2.4 Supported decision-making: Where there may be limitations on our ability to determine a survivor's choice, for example because of intellectual or cognitive disabilities or communication challenges, we will make reasonable accommodation[7] to support a survivor's agency and participation in decision-making processes which are based on their will and preferences.

2.5 Decision-making process with children: We will uphold a child's right to participate in decision-making processes. We will undertake an expert assessment of the child's capacity to participate (which considers their age, maturity, evolving capacities, trauma and experience, gender, and environment/situation), follow the four guiding principles in the UN Convention on the Rights of the Child[8] and understand what the law may require in terms of the role of guardians.

2.6 Reduce pressures: We will proactively mitigate factors that can pressure survivors to share information. Such factors include real or perceived imbalances in power, status, gender or age, and social etiquette, politicisation, or family and community influences (also recognising that concerns for their community can be positive motivators for survivors). We will not use any legal power we may have to compel survivors as doing this can harm them and any justice processes and outcomes.

2.7 Do not offer benefits in exchange for information: We will not (directly or implicitly) condition or promise access to any aid, assistance, protection or other benefit in exchange for a survivor's agreement to provide information to us. However, we will seek to remove any financial or other cost to a survivor of assisting us. We will not incentivise or commercialise the assistance of those around a survivor, to pressure or require a survivor to speak with us.

2.8 Ensure realistic expectations: We will provide honest and realistic information to survivors about the ways in which their information will be used, and intended outcomes (including any external factors which can influence those outcomes). We will discuss with the survivors what their expectations are and support them to make decisions based on realistic expectations.

2.9 Be clear on limitations: We will be clear and honest with survivors on what we can and cannot do, what we can protect and what we cannot, and where our own limitations and professional boundaries are. If we are unable to adapt our approach to meet a survivor's wishes, we will explain why. Where we are obliged to report or share their information (such as a duty to report crimes to authorities, make disclosures to defence or respond to life-threatening situations), we will discuss these upfront with a survivor and give them time and space to decide whether they wish to proceed to provide information to us.

2.10 Honour withdrawal of consent: We will make survivors aware of their right to withdraw consent at any time during or after the process (including during any interview), and of how they can notify us of that withdrawal. We will be clear about what we are able to do upon withdrawal of consent and what we have limited control over. If consent is withdrawn, we will take the steps we said we would.

PRINCIPLE 3. BE RESPONSIBLE AND HAVE INTEGRITY

3.1 Responsibility of information-gatherers: We understand that survivor choice does not replace responsible decision-making by information-gatherers. We recognise that circumstances may arise when our assessment of our own competencies, safety and other risks may lead us to decide not to proceed, even when a survivor is prepared to accept those risks. In such circumstances, if we already are in contact with the survivor, we will discuss with them our concerns, reasons and any alternatives.

3.2 Dignity and respect: We will support survivors with dignity, respect, humanity, courtesy, appreciation, and as decision-makers.

3.3 Do not stigmatise: We will examine and confront our own limitations in understanding perspectives and experiences beyond our own; our own biases, fears, trauma and triggers; and our own attitudes, prejudices and assumptions in relation to sexual violence and survivors. We will not convey any message to survivors (through our tone, words, body language or other actions) which blames, shames, further harms, judges, belittles, patronises, ridicules or disrespects them. We also will not present or publish any information about them which could do this.

3.4 Ensure accuracy: We will check that our understanding and representation of the information gathered are correct and free from misrepresentations or assumptions. Whenever possible, we will check the accuracy with the survivor and make any necessary corrections.

3.5 Do not exploit survivors: We will not be extractive, instrumentalising, exploitative, abusive, harassing or take advantage of survivors and their information. We will take measures to prevent and respond to any form of revictimisation, sexual exploitation or abuse.

3.6 Be trustworthy: We will not make promises we may be unable to keep. We acknowledge that breaches of trust, including confidentiality, have wider repercussions for survivors' safety and well-being, reducing trust in others and creating barriers to support.

3.7 Do not damage potential evidence: We will not take or remove original documents, physical items or other potential evidence from a survivor or location, even when asked to do so, unless we have the mandate, it is necessary to do so, we can do so safely, there is no one in a better position and role to do this, and we have the capacity to manage and safeguard the integrity of such evidence.

3.8 Be accountable: We will be transparent and accountable against the commitments reflected in this Code. We understand the potential harms to a survivor, their family and community if we fail to do so. We acknowledge a survivor's right to complain, including to others, about our work, and we will listen when they wish to complain directly to us. We will be open to feedback to improve our work.

PRINCIPLE 4. ADD VALUE OR DON'T DO IT

4.1 Make responsible decisions: We will assess the elements in this Principle to support responsible decisions about if, when and how to do this work. We recognise that our own self-assessments may benefit from consultation with others, such as community-based actors and external experts, to honestly assess whether our intended work and methods will be safe, effective and add value to survivors.

4.2 What is our role and purpose?: We will be honest and clear about our purpose and role; the limitations and boundaries of our role; why we intend to collect information from survivors; what information we actually need from whom and in what form; how we intend to use the information and who we can share it with for that purpose.

4.3 Are there alternative sources?: We will look for alternative sources of SCRSV information and will ask ourselves whether our mandate or objective really requires us to interview survivors or use information sourced from them. We recognise that finding alternative sources removes the potential risks to survivors, those around them and to ourselves, of gathering such information directly from survivors, takes the pressure off survivors and provides more space for them to choose to participate or not.

4.4 Are our intended outcomes realistic?: We will only undertake this work where our objective can be realistically achieved in that setting with our resources, time and skills, without causing harm.

4.5 Will we add value?: We will reflect honestly on what added value or benefit our work or actions can bring to survivors. We will discuss these with survivors. We will only proceed if there is such an added value from our work. We recognise that some survivors are motivated by added value that our work might bring in terms of their families, communities or groups.

4.6 Weigh added value against risks: We will carefully weigh any potential added value against our understanding of the risks. We will design flexible methodologies which minimise risk and are fit for purpose.

4.7 Challenge drivers of bad practice: We will critically test any pressure or justifications of 'urgency', 'public interest', quantitative targets, 'prevention' or any other such motives to proceed where we cannot do so safely, effectively and ethically.

4.8 Minimise exposure risks: We will ask the survivor about prior interviews or information-sharing, and discuss the risks of proceeding and alternative options with the survivor. Such risks include creating inconsistent accounts which may damage a survivor's right to access justice, and further exposure to potential retraumatisation, loss of privacy and stigma. We will discuss with the survivor access to any prior statements as an option or as an alternative to re-interview. If a survivor chooses to proceed with the interview, we will proactively minimise the risks of re-interviewing.

4.9 Information-sharing: We will discuss with the survivor whether they wish us to share their information with other trusted actors to avoid any unnecessary duplication of information-gathering or exposure to further trauma or other risks from further direct engagement. We will ensure that any decision by a survivor to share information is based on informed consent, supported and informed by a risk assessment and is implemented safely, effectively and in accordance with the survivor's wishes.

4.10 Data minimisation: We will only collect, store and use a survivor's personal information, including digital information, if justified for a clear purpose, necessary for achieving that purpose and proportional to the ability to fulfil that purpose, and if we can protect that information.

PREPARATION PRINCIPLES

These principles should be applied during the preparation phase before information-gathering, and be reviewed during implementation phases. They must be read with all the other principles.

PRINCIPLE 5. PREPARATION IS THE FOUNDATION

5.1 Prepare first: We will undertake thorough planning and risk assessments, and ensure that the necessary knowledge, capacity, team, policies and procedures are in place before we start gathering information, especially before any engagement with survivors. This is a critical foundation for respecting survivors' rights, and for safe, accessible, ethical and effective outcomes.

5.2 Ensure flexibility for survivor choices: We will develop a methodology and team which are as flexible as possible to support survivors' choices about how to engage with us, where, and with whom (gender, age, affiliation, etc.).

5.3 Assess and mitigate risks: Based on knowledge and understanding of the context, we will identify and assess any potential risks for all those involved, such as individual survivors, their family and communities, ourselves, and others involved in the process. We will assess general and specific risks for individuals and situations, such as confidentiality, safety, well-being, social repercussions and stigma, and legal rights.[6] We recognise that this process should be informed by those competent in aspects such as gender, children and communications, and data, physical and other security. If we proceed to work with individual survivors, we will also seek a survivor's input on their risks. We will not proceed if the risks cannot be appropriately mitigated. This assessment and its mitigation measures will guide every aspect of our work. We will review the assessment as often as necessary.

5.4 Remote interactions: We will ensure that we understand the unique challenges and risks of online and other remote interactions with survivors. These include challenges regarding preparations; communications and data security; the survivor's access to technology; vetting those assisting us in the survivor's location, including intermediaries and interpreters; monitoring the survivor's well-being and comfort levels; and ensuring safe emergency response systems in the survivor's location. We acknowledge the serious risks that remote interviews with survivors who may face heightened risk of harm, including children, can entail. If we cannot appropriately address such challenges and risks, we will not proceed with remote interactions.

5.5 Know who else is gathering information: We will find out who else is gathering information from or about survivors and for what purposes, to consider if our work is necessary and will add value, and as a foundation to coordination and collaboration.

5.6 Know about available support: We will identify services, access points and survivor groups and actors (formal and informal) for survivor support, including, at a minimum, medical, psycho-social, protection, survivor advocates and other legal services. If available, we will consider existing lists of such actors and access points ('mappings'). We will assess whether these are accessible, safe, confidential, effective, and suitable for survivors of different ages, disabilities, genders, etc. We will identify and reduce barriers to accessing support for survivors whenever possible.

5.7 Coordinate and cooperate: We recognise the importance of multi-sector coordination and cooperation to prevent further harm, over-exposure of survivors and negative impacts on their rights arising from the cumulative effects of our work. Whenever appropriate, we will reach out to others working on the same issues, including humanitarian actors and community-based organisations, to seek ways to work together safely or to reduce risks of undermining each other's work.

5.8 Prepare for unexpected disclosure: We understand that a person may choose to disclose sexual violence when we are not expecting it or intend to ask about it. We will prepare for that possibility.

5.9 Enable follow-up: We understand that communication between survivors and information-gatherers after their interaction can be critical for reasons such as sharing any resulting safety concerns, withdrawing or renewing consent and giving survivors feedback about progress and outcomes. We will strive to put in place an effective and secure way to communicate. If we cannot, we will discuss upfront with the survivor why not. For child survivors, we will take specific measures to enable contact with a carer for the child, with the support of a child protection expert whenever possible.

5.10 Brief your team and partners: We will brief and monitor our team and those acting on our behalf (including any partners) on our preparations and on safe, ethical and effective processes to adhere to this Code.

PRINCIPLE 6. KNOW AND UNDERSTAND THE CONTEXTS

6.1 Know the context: We will ensure that our team and those acting on our behalf base their work on a good understanding of the context in which the SCRSV took place and of the immediate environment around the survivor. We will identify positive and negative, direct and indirect impacts of the elements in this Principle on survivors, their families and communities, and our work, and will ensure this understanding informs our preparation and work.

6.2 Understand culture: We will identify relevant cultural and social norms, attitudes, traditions, rites and customs, as well attitudes about children, their decision-making and the age of adulthood.

6.3 Understand gender: We will assess gender dynamics, norms, violence and inequalities, and understand how they create risks of revictimisation and barriers to survivor support and other rights.

6.4 Understand stigma towards SCRSV and survivors: We will identify, risk assess and mitigate harmful misunderstandings, assumptions, attitudes and behaviour (known as 'stigma') within communities in relation to sexual violence and survivors.

6.5 Identify community dynamics: We will analyse group dynamics around survivors, such as power structures, competition for resources, politicisation of justice, intermediary motivations, gatekeepers (those who can control or influence access to survivors), empowering influences, and drivers which silence, pressurise or harm survivors and their families.

6.6 Recognise individual, compounded and collective harms: We will analyse different connected harms caused by SCRSV to individuals and collectively to groups such as families and communities, and how harms are compounded by multiple forms of discrimination.[6]

6.7 Be familiar with laws and practices: We will familiarise ourselves with relevant formal and informal laws and practices (including ancestral systems). Such laws and practices may, for example, provide avenues to legal recourse for survivors, discriminate or perpetuate discrimination, criminalise a survivor for what has happened, fail to recognise a survivor as a victim of a crime, or legally require that we report information about crimes to authorities. We will discuss these with a survivor before they share their experience, so they can consider whether or not, and how, to proceed.

6.8 Understand appropriate communications and interactions: We will work to understand the significance and impact of all forms of our communication and interactions in the context, ensuring gender, age, disability, social, cultural and context sensitivity and respect. We will identify and use inclusive and non-harmful forms of communication which reflect survivors' identities, and respect non-harmful social norms and practices. We will also seek to understand cultural and other aspects of communication, including mannerisms, derogatory terms, common expressions and euphemisms, and gaps in language relating to SCRSV or the survivor.

6.9 Minimising negative repercussions: We will identify the risks of and minimise any negative repercussions from our work within a community.

6.10 Community-based sustained support: We recognise the important role of trusted community-based groups and support systems for the continuity of support for survivors, building trusted relationships, empowering survivors and for tackling negative attitudes in the community towards survivors. Such groups can include survivor networks, women's organisations, LGBTQI+ organisations, organisations for children, and organisations for persons with disabilities. Whenever appropriate, we will seek to work with such groups.

PRINCIPLE 7. BUILD SYSTEMS, COMPETENCY AND SUPPORT

7.1 Institutional responsibilities and support: We recognise that we do not do this work alone. Most of us work in or for organisations. In organisations, we will implement this Code through leadership and commitment, policies, processes and resourcing, including in relation to consultants.

7.2 Work responsibly as independent actors: When we are working independently and cannot rely on institutional support, we will seek to ensure our work is backed by existing safe support systems and infrastructure, and individuals and partners who share our commitments under this Code.

7.3 Select the right team and partners: We will build a team (including interpreters, intermediaries, guides, fixers) and select partners and others acting on our behalf who share our commitment to this

Code. We will also consider the diversity, representation, confidentiality, safety and flexibility implications of these selections.

7.4 Build the right competencies: We will do this work only where we have the necessary knowledge, demonstrated skills and attitudes across our team. Those competencies include sexual violence and stigma sensitisation; understanding gender, diversity and context; working with people of different genders, disabilities and ages; informed consent and basic referral skills; risk recognition; safe communication and interviewing skills, including with children and in relation to remote interviews; trauma awareness and understanding; and information protection and preservation. We will keep the skills and knowledge which make this work safe and effective for our intended purpose up to date.

7.5 Recognise our limitations: We acknowledge that everyone has limits to their experience, expertise and perspective, as well as to their role or mandate. We will reflect honestly about, and will stay within, the boundaries of our knowledge, skills and understanding. Beyond our limitations, we will consult and work with others, such as trauma, security and child experts.

7.6 Interviewing child survivors: Given the heightened risks of unsafe and ineffective interviews with children, we will only interview child survivors if we have and utilise demonstrated competency, skills and experience working with children (attuned to their age, evolving capacities, abilities, gender and needs). If we do not have these competencies in our team, we will try to acquire them or identify others who do, so that children who wish to participate can do so safely and effectively.

7.7 Ensure appropriate support: We will only proceed when there is appropriate, accessible support in place which can respond to a survivor's needs. This includes medical, psycho-social, protection and legal support. We will discuss these options with the survivor and help refer them safely if they choose. If these needs are acute, we will prioritise access and referrals ahead of our work. We will put in place a clear plan for emergency access to support so it can be available before, during or after our interaction with the survivor.

7.8 Build confidentiality protections: We will put in place confidentiality protocols and measures to protect the survivor's information, privacy and safety, including taking special care to ensure the security of any digital communications, data management and storage.

7.9 Continuity and consistency: We will seek to ensure that the same person is communicating with survivors, to maintain trust and comfort levels, and to minimise risks that may flow from a change in personnel. We will discuss with the survivor any request from them to change personnel or the contact person, and we will respect their request.

7.10 Manage risks of vicarious trauma: We will ensure measures are in place to minimise the harmful effects of the work on ourselves, our team and others impacted. We will ensure basic training on signs and symptoms of trauma, vicarious trauma, compassion fatigue and burnout, and ensure institutional and team support protocols and safe working methods. We will include measures to manage these risks when people are working outside a team or office environment, including working remotely.

IMPLEMENTATION PRINCIPLES

These principles should be applied as we start to collect information. However, they must be read with all the other principles.

PRINCIPLE 8. GATHER INFORMATION FROM OTHER SOURCES

8.1 Look for SCRSV information which is not from or about survivors: We recognise that useful information about SCRSV is not always from or about a survivor. We will seek to collect and use such information about SCRSV from wider sources (such as statistics, expert reports or analysis, and perpetrator information) as this information poses less risk for survivors, and can mitigate over-reliance on survivor information.

8.2 Source representative information: We recognise that who we are, what we search for, and how and where we search can introduce harmful biases and blind spots in the information we find. We also recognise similar biases are introduced by limitations on the availability of information, such as through censorship, inequalities, social marginalisation, insecurity and technical factors. We will seek to minimise these risks.

8.3 Recognise rights and risks from indirectly sourced information: We acknowledge that there are privacy, legal and security implications from the collection, receipt or use of indirectly sourced information from or about survivors, even if the information is in the public domain, in archives or retrievable from online (including public and non-public) sources. We recognise that the Code also applies to the gathering and use of such information.

8.4 Verify survivor intention: We will seek to verify indirectly sourced SCRSV information (including photos and videos of survivors), including where, when and how the information was obtained, and how and what consent was provided by the survivors for what use, and the initial intent or will for later use if shared by a survivor. If we cannot verify the survivor's consent or intent for their information to be used for our purpose, we will not use or share such information if we cannot properly mitigate the associated risks and harms.

8.5 Do not undermine trust in humanitarian services: We will respect the importance of confidentiality and trust to the provision of support and care for survivors, and will not request or pressure support services to share information which a survivor has not consented to sharing.

PRINCIPLE 9. TAKE THE TIME, CREATE THE SPACE

9.1 Be ready: We recognise that working with a survivor requires us to be prepared to listen with undivided attention and an open mind without assumptions or judgement; without our own reactions impacting the interaction; and ready to build trust and give the survivor control over the way they tell their story. If we are not in that state of mind, we will not proceed at that time.

9.2 Reduce time pressures: We will seek to remove time pressures to promote voluntary and informed decision-making, enabling survivors to share their information in the way and at the pace they wish. We recognise that like rushed interactions, lengthy interactions can also be a form of pressure and a cause of discomfort to survivors, particularly for children. If there are any fixed time-limits which a survivor needs to understand in order to exercise their rights, we will discuss these with the survivor.

9.3 Create a supportive environment: We will create a supportive, physically and psychologically safe environment for in-person and any remote interactions, which is accessible and gender, age, disability, social, cultural and context sensitive. This is a fundamental foundation for trust-building, recounting experiences and decision-making by survivors.

9.4 Ensure privacy: In consultation with the survivor, we will arrange a private, discreet, accessible and safe space to meet in person or remotely and minimise the risk of being observed (including when accessing or leaving the location), overheard or interrupted. We respect that a survivor's right to privacy extends to all communications and contact with them, including before and after any meeting.

9.5 Who attends the interview: We will seek to minimise the number of people present during an interview. We will discuss in advance with a survivor who they would like to be present and who may be taking part from our team (providing information such as their roles, gender, age and affiliation). If we cannot honour the survivor's choices, including for a support person, guardian or legal representative to be present, we will discuss the reasons for this with them and will respect their choice if they decide not to proceed.

9.6 Prioritise safety and quality over quantity: We will not compromise quality, safety or well-being based on pressure to conduct a certain number of interviews.

9.7 Understand delayed and partial disclosures: We recognise and respect that a survivor's ability and decision to share information is assisted by trust, time and healing, and therefore can come in phases, over time and through different interactions. We acknowledge that inconsistencies between accounts can arise naturally from trauma, memory, stigma, fear, pressure, culture, the questions asked, interpretation and a listener's perception of what was said. We will not make assumptions about truthfulness based on such naturally arising inconsistencies.

PRINCIPLE 10. ENSURE RESPECTFUL AND SAFE INTERACTIONS

10.1 Assess and be alert: At the start of an interaction, we will reassess safety concerns, privacy, the survivor's needs and their well-being, any gaps in our communication, and any pressures on the survivor to proceed. We will monitor these issues throughout. We will only proceed when we are able to fully understand and be fully understood by the survivor. This includes ensuring that any interpreter we use has the expertise to work in the survivor's language and in ours.

10.2 Be trauma-sensitive: We will be able to recognise and monitor the signs of trauma and distress, and know when and how to minimise and respond to the potential traumatising effects of an interaction. We understand that trauma can impact the order and pace at which events are recalled and discussed.

10.3 Respect personal space: We will be careful not to intrude on a survivor's physical space.

10.4 Create a safe interview process: We will ensure that our interview has a safe, sensitive process and structure. We will ensure any SCRSV questions are asked safely within a broader interview process. We will take the time to close an interview in a safe and careful way, and express gratitude for the survivor's time and courage in recounting their experience. We will discuss with the survivor what to expect after the interview, available support and follow-up information.

10.5 Give survivor control over how they tell their story: We respect the importance of a survivor's control over how they share their experience. We will make the space for a survivor to explain what happened in their own way at their own pace and listen actively. We will moderate the pace and tone of our questions. We will not rush survivors as this creates greater risks of harm and retraumatisation and of the collected information being unreliable or inaccurate.

10.6 Ask open questions: We (as interviewers and interpreters) will use open questions. We acknowledge the potential harmful impact of closed questions on the survivor and on the accuracy and detail of information collected that way. We will use such questions only in exceptional circumstances.

10.7 Contextualise SCRSV: We recognise that SCRSV does not happen in isolation from other violations and harms. We will also be attentive and respectful if a survivor chooses to communicate about other violations or harms that they may have experienced or witnessed.

10.8 Do not ask if you do not need to: We will not ask questions or probe for explicit, sensitive or graphic details of sexual violence where we do not specifically need this for our purpose. If we need this type of information, we will explain why to the survivor and will respect their decision whether to answer or not. We will also not fixate on or sensationalise such details when representing or reporting a survivor's experience.

Key concepts as defined for the purposes of the Code

[1] "***Survivors" and/or "victims":*** The Code uses "survivor" as it is most often considered empowering. The terms "victims" and "survivors" can have different meanings in different settings and languages, and those who have experienced violence may prefer one term over the other, or neither. Survivors' choices of identity should be respected and reflected by those around them. It is also important to acknowledge that some victims do not survive the violence. While the Code focuses on working with survivors, aspects of the Code also apply to the protection of privacy and rights of victims who have not survived.

[2] ***Systematic and conflict-related sexual violence (SCRSV)***: It is a broad definition. SCRSV includes rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, trafficking in persons for the purpose of sexual violence and/or exploitation, and any other form of sexual violence of comparable gravity perpetrated against any person where that conduct is directly or indirectly linked to an armed conflict. It also includes such acts during peacetime or transitional phases when they are part of systematic, repressive, structured, or political violence, and when such violence is used to terrorise or destroy communities. SCRSV includes but is not limited to sexual violence which amounts to the international crimes of genocide, crimes against humanity or war crimes.

[3] As defined in the UN Convention on the Rights of the Child of 1989.

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[4] ***Gender***: In this Code, 'gender' refers to the definition under article 7(3) of the Rome Statute of the International Criminal Court: the two sexes, male and female, within the context of society. This definition acknowledges the social construction of gender, and the accompanying roles, behaviours, activities, and attributes assigned to women and men, and to girls and boys. Harmful gender narratives disproportionately affect women and girls. However, harmful gender narratives also affect, for example, persons who are non-binary or non-gender conforming; persons of diverse sexual orientations, gender identities, gender expressions, sex characteristics, and men and boys.

[5] While the acronym ***LGBTQI+*** (lesbian, gay, bisexual, transgender, queer and/or questioning, intersex, and other persons who have a non-normative gender identity or sexual orientation) is inclusive of a broad range of individuals, it is not exhaustive, nor is it a universally standard acronym.

[6] People are complex, dynamic beings with multiple, overlapping and changing characteristics, attributes or identities. They often face more than one form of discrimination, are affected by situational factors such as conflict, displacement, poverty, pandemics and disease, and as a consequence or otherwise face security, health, legal and other risks. Understanding these factors can help us to better understand the survivor, the violations they have experienced, the risks, challenges and barriers they face, their rights and wishes, and their support needs, and helps us to properly tailor our plans and approaches.

Such ***characteristics, attributes and identities*** and related ***forms of discrimination*** that survivors can face include: age (including level of maturity, evolving capacities); sex and gender (including gender identity and expression (including transgender, non-binary and non-gender conforming), sexual orientation, sex characteristics (including intersex)); race; religion; national origin; social origin; ethnicity (including indigenous groups, culture and traditions); disability; family situation or status; status of birth; socio-economic class, caste or status; health condition or status; citizenship; status as a refugee, migrant or other residential status; education and literacy; legal status; and political beliefs, opinions or affiliation. This is not an exhaustive list. Survivors often face multiple, compounded forms of discrimination. When multiple forms of discrimination and inequalities overlap, they are referred to as "***intersectional factors".***

[7] ***Reasonable accommodation*** means "necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms" (Article 2, Convention on the Rights of Persons with Disabilities of 2006).

[8] ***Four guiding principles*** as set out in the UN Convention on the Rights of the Child:

- **Non-discrimination** (Article 2): "We shall ensure that we do not subject children to any form of discrimination during the course of our work. We shall work with children irrespective of the child's parents or legal guardian, race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, poverty, disability, birth or other status."
- **Best interests of the child** (Article 3): "We shall ensure that the best interest of the child shall be a primary consideration in all actions and decisions affecting children." A two-step approach is required to balance a child's best interest with other considerations.
- **The right to life, survival and development** (Article 6): "We shall ensure that our engagement with children does not impede a child's right to develop in an optimal way: physically, mentally, spiritually, morally, and socially. We will undertake appropriate risk assessments and all efforts to mitigate any risk to a child's life, survival, and development including by providing appropriate response and support."
- **Right to express one's views and have them considered** (Article 12): "We recognise that a child who is capable of forming his or her own views has the right to express those views freely in all matters affecting him or her. We will try to make the process as participatory as possible and give due weight to the views of a child in accordance with his or her age and maturity. We also recognise that a child's right to participation also includes the right to receive information and advice in a manner which is child-sensitive and recognises his or her evolving capacities."