

GLOBAL FUND TO **END MODERN SLAVERY**

Ending modern slavery by making it economically unprofitable.

GFEMS Ethical Photography and Storytelling Guidelines

GFEMS Pledge to Victims and Survivors of Modern Slavery

GFEMS vows to:

- Gain informed consent at every occasion where photographs are taken
- Explain how and where images will be used, using examples wherever possible
- Represent people accurately, honestly, and with dignity
- Only identify people who give consent to be identified. In all other instances maintain anonymity of subjects.

Introduction

GFEMS takes seriously our responsibility to uphold the dignity of our program beneficiaries (both direct and indirect) through respectful use of imagery. A direct beneficiary is defined as anyone benefiting from project-funded activities, while indirect beneficiaries are considered those who benefit as a result of improvements made to the direct beneficiaries. Beneficiaries can include, but are not limited to: end users, program participants, and any potential victims or survivors of modern slavery.

GFEMS recognizes the importance of mitigating safety risks for beneficiaries. Improper image manipulation, misrepresentation, or mismanagement may result in particularly dangerous safety risks for beneficiaries that these guidelines are intended to prevent.

As a part of the Fund's commitment to do no harm, GFEMS will adhere to the standards outlined in this document. As representatives of GFEMS, we require our relevant contractors and subrecipients, sometimes defined as downstream partners, to do so as well. These guidelines are designed to ensure the protection of subjects, dignity and accuracy in their portrayal, and guarantee proper consent. All images published in a GFEMS document, or in a subrecipient's document containing work conducted under GFEMS funding, must adhere to the following guidelines.

All images captured and published by GFEMS, or GFEMS subrecipient, will:

1. Portray subjects in a dignified position
2. Be consented to by all subjects and/ or their guardians (with permission from minors)
3. Be voluntary and without compensation, including financial
4. Be accurate
5. Take proper security measures

Further details on these criteria are provided below:

1. What is considered a dignified position?

GFEMS considers a dignified position to be one where the subject of an image is proud to be shown. Generally, this means GFEMS and its subrecipient will not take photos that display physical suffering, extreme emotional distress or that sensationalize the situation or subject. This is particularly relevant given the large number of vulnerable people that GFEMS and subrecipient will interact with. The Fund defines vulnerable person as any person whose quality of life and ability to fill their potential are most affected by extreme deprivation and violation of their human rights. A vulnerable person may live in a catastrophic environment where their existence is characterized by violence or threats of violence, abuse, neglect, exploitation, exclusion, and/or discrimination.

The subject of an image may be a beneficiary (either direct and indirect), GFEMS staff, contractors, consultants, volunteers or its subrecipient.

With consent of the image subject, GFEMS and its subrecipient may take photos in a program beneficiary's environment (work, home, school or other). Whether this image is suitable for publishing will be decided by the GFEMS team during the publishing process.

2. Obtaining Consent

GFEMS is committed to protecting the safety and security of our program beneficiaries. It is paramount that image subjects understand how their photo or story might be used and that they voluntarily consent to participate in photography sessions or other story collection activities.

Elements of Informed Consent

Whenever possible, beneficiaries should be given advance notice of no fewer than 24 hours that a photographer or other staff/contractor will be coming to the program site/workplace to collect images or stories about program beneficiaries and their experiences. At this time, informed consent should be obtained. Recognizing unequal power dynamics between GFEMS/ GFEMS subrecipient vis-a-vis beneficiaries, GFEMS will ensure--to the greatest extent possible--that unintentionally coercive elements are absent when requesting consent. By requesting consent ahead of time, GFEMS and its subrecipient reduce pressure on beneficiaries to agree.

Additionally, anyone seeking consent from an individual or group should communicate why the images are being collected. Furthermore, the photographer/ story-collector should explain how the images or stories will be used, including explanation that the images/stories may be used widely, internationally, and on online platforms.

Beneficiaries also reserve the right to revoke consent at any time by informing the Fund or its subrecipient of their decision. This should be communicated to each image subject while explaining consent. If they choose to remove consent, GFEMS and its subrecipient will remove any public appearance of their image or story. It is the responsibility of the subrecipient to make sure all photos, videos, and other forms of storytelling featuring the beneficiary are removed from digital products, stored in a file marked for internal use only, and communicate with GFEMS about if any content needs to be removed from the Fund's digital products or website.

The expectation is that the images used will be for GFEMS and its subrecipient' use only. Images should not be shared outside entities. Ensure that beneficiaries understand that whether or not they participate will not change how the organization treats them or conducts business or their participation in any GFEMS-funded program.

Explanation of image or story usage must be conducted in the beneficiaries' preferred language whenever possible. If a photographer/story collector does not speak that language, a GFEMS or subrecipient staff member who does should be present at the time of collection.

Who Can Give Consent?

Consent must come from the subject of the photo. In situations where consent from the subject is not possible, such as the subject is a child or it is a group photo, the parent/guardian or next appropriate person must give consent. This person may vary depending on cultural or situational context. GFEMS will always adhere to the cultural norms when gaining consent. In a public group context, consent may be provided by a community leader, a school teacher, a senior family member, or another person acknowledged by the community as a leader. In a home or private setting, consent may be provided by a family elder, parent, or other senior relatives. **In the event an appropriate hierarchical figure gives consent to take photographs of groups, but some individuals directly or indirectly express reservations, the photographer will not take photos of these individuals.**

For photo and story collection purposes, GFEMS considers the age of consent to be 18, regardless of local or national laws. Collecting images of anyone under the age of 18 requires the consent of the appropriate parent or guardian. Whenever possible, when collecting images or stories involving anyone under the age of 18, assent should be obtained from the minor in addition to consent from the parent/guardian. If the parent/guardian consents but the minor expresses discomfort or opposition, the photographer, videographer or storyteller should refrain from using images or stories of this child wherever possible. Note that a child's failure to object does not constitute assent.

Obtaining Written Consent

GFEMS will obtain written consent for any photography, whenever possible.

Whenever possible, GFEMS and its subrecipient should inform beneficiaries that there will be a photographer or story collector present on site no later than 24 hours beforehand. At this same point in time, GFEMS or its subrecipient should request written consent. After verbal explanation *in the beneficiaries' preferred language*, written confirmation by the beneficiary acknowledging they have been informed of the presence of the photographer or story collector, their rights, and the potential uses of the images or stories will be captured.

To the greatest extent possible, GFEMS/ the subrecipient should translate the consent forms into the beneficiaries' preferred language before photography, videography or story-gathering is

scheduled to take place and bring copies on the trip. Beneficiaries are entitled to a copy of their consent form should they request one.

In the event that prior consent is not possible, a GFEMS staff member, a subrecipient staff member, or an authorized translator proficient in the beneficiaries' language must be present at the time of photography/story collection to translate and gain informed consent. The photographer or story collector should have consent in the beneficiaries' language before engaging in photography or story collection.

If taking photos in a group, community or family setting, the convener, such as a school teacher, community leader, or senior family member, can provide consent on behalf of the group and indicate privately if there are any specific individuals who request not to be photographed.

Template consent forms are provided at the end of this document as a sample. These forms comply with legal requirements in accordance with U.S. law. These should be reviewed by local legal counsel to ensure compliance with local law.

Exceptions to Written Consent

Written consent for image subjects is not required when the subjects are non-recognizable individuals in a public space (faces and all other identifying features are obscured), the subject is a public figure in a public setting (i.e., a celebrity or senior official at a launch), or if the subject is a crowd in a public space.

While this scenario is rare, if there is an occasion where written consent is impossible, such as if the subject of an image and the photographer do not speak the same language and translation or interpretation services are not available, GFEMS will accept a verbal or physical affirmation by the image of the subject to be consent. **However**, because the subject can not adequately consent to the image being used in public facing materials without translation services, any image or story collected with this method of consent **is restricted to internal use only**.

In this situation, verbal or physical consent must be witnessed by at least two other GFEMS or subrecipient organization staff members, in addition to the photographer. If the consent is captured verbally or physically, the photographer must capture the fingerprint of the subject and the witnesses must provide their signature attesting to the consent and their presence. Documentation of such consent should be maintained for record-keeping purposes.

Providing Alternate Activities

In a situation where one or several beneficiaries choose not to provide consent, GFEMS and its subrecipient should ensure they are not singled out for their choice, prevented from participating in the activity, or subjected to discomfort because of their decision. Wherever possible, staff should provide an alternate activity that allows beneficiaries to be included in events, trainings, etc., or give them the option not to participate if its preferable. Additionally, "no photo zones" may be established in certain contexts.

Example Scenario: A group of beneficiaries has completed career training conducted by one of the Fund's subrecipients and is about to enter their work placement. To celebrate their accomplishments and their transition into safe and sustainable jobs, the subrecipient will host a small graduation ceremony. The subrecipient has hired a photographer to be present at the ceremony.

At least one day before the ceremony, an instructor from the program (someone with whom the beneficiaries are familiar and comfortable) informs the beneficiaries that the photographer will be present and that other staff members may request information about their experience in the program. The instructor informs the beneficiaries of the following:

- Photos are being collected because GFEMS (and the subrecipient) would like to celebrate the graduation in publications (such as social media, newsletters, press releases, etc.) and promote the success of the training and job placement program. The photo/stories will only be used by GFEMS and its subrecipient, and by no other entity.
- The photos and stories may also be used to secure continued funding for the program, and could be shared publicly both online and in print.
- Beneficiaries have the right to change their minds and revoke consent at any time, without penalty. If this occurs, GFEMS and/or subrecipient will immediately remove the relevant materials from online spaces. However, GFEMS will not be able to regain materials that may have been previously distributed in hard copy.
- In no way, shape or form does declining consent affect the beneficiaries' future involvement in the program, nor does it affect their job placement.
- Beneficiaries have control over how they are displayed in the photo, and will not be instructed on how to pose, where to stand, or how to look.
- Beneficiaries will not be identified by name in any publication unless they consent. If using a name is necessary for telling a story, beneficiaries reserve the right to use an alias.

After explaining, the instructor asks each beneficiary to sign a consent form, written in their native language (or other language of demonstrated proficiency), acknowledging that they have been informed about their rights and how their images/stories will be used. Most beneficiaries sign the consent form, but a few do not know how to write. The instructor prints their name on the sheet, and the beneficiary provides their fingerprint on the signature line. A few other beneficiaries do not consent. All consent forms are stored at the subrecipient's office, and a digital copy is uploaded to the Fund's encrypted GDrive in a folder specific to the graduation ceremony.

On the day of the ceremony, the photographer is introduced to the beneficiaries. In private, the instructor or another staff member identifies the beneficiaries who did not consent for the photographer. Even at this stage, per GFEMS guidelines, beneficiaries may change their minds about participation.

Following the ceremony, the photographer uploads all images to the encrypted folder. Stories on beneficiary experience are also uploaded to the same location. Only GFEMS and subrecipient staff now have access to this information. However, beneficiaries always reserve the right to have a digital copy of images or stories of which they are a subject.

Before GFEMS or a subrecipient publishes any of the stories or photos captured during the ceremony, the project manager for the project performs a check to ensure that all stories/photos used in the promotion of the graduation have been consented to, that they portray beneficiaries in a dignified manner, and that they accurately reflect the reality of the event. The PIO will provide confirmation to the subrecipient that all materials meet the required criteria before they are published digitally or in print.

3. Beneficiary Sense of Safety and Security

It is critical to maintain a beneficiary's sense of security and safety. Some beneficiaries worry that their treatment or involvement in the program may be compromised if they do not consent. In order to maintain the beneficiaries' sense of security, GFEMS staff and staff of subrecipient organizations are obliged to explain that by agreeing or not agreeing to participate in photos, beneficiaries' ability to participate in the program will not be affected.

GFEMS takes seriously the inclusion of a beneficiary's face in an image. Publishing a beneficiary's face can pose a security risk and GFEMS takes seriously our responsibility to protect victims and survivors. Photographers will avoid taking a direct image of a victim or a survivor's face when possible. In addition, beneficiaries featured in images are required to be appropriately clothed and not shown in poses that could be seen as sexually suggestive.

With appropriate consent, a photographer may take images that include faces of program beneficiaries who are not victims or survivors.

After completing a photography or filming session, subrecipients will ensure the subjects are comfortable with how they are represented.

Data Security

GFEMS, its subrecipients, and any photographers, videographers, or other contractors funded by a GFEMS award should store photos, videos, stories, and any content containing beneficiary identifiers on an encrypted drive. Subrecipients will ensure that any photographers, videographers, or other subcontractors comply with this requirement.

Beneficiary Identification in Publications

GFEMS takes seriously the protection of its program beneficiaries. When including stories or photographs in public facing communications (including but not limited to reports, press releases, social media, briefings, etc.), GFEMS and its subrecipient must take measures to protect the identity of beneficiaries. When publishing stories or images:

- If using a name is necessary, only use the first name or an alias to identify a beneficiary. *Never* use both first and last name.

- If indicating a location is necessary, *never* identify the village/town/city in which the story or photo was taken. Use only the country name, or a general term to indicate a more specific geography (i.e., “Northern India.” Do not name specific states)
- Review every image to ensure there are no other identifiers that could reveal location or identity (i.e., flags, logos, shirts that advertise a location, well known landmarks, etc). If these identifiers exist, they must be removed before the image or story is published.

GFEMS Review and Approval of Photos

Before publishing any photo or story collected from a program on the ground as a part of a document, online publication, report, etc., GFEMS will review all materials to ensure that proper consent is in place, that all beneficiaries are portrayed in a dignified manner, and that the story or image accurately reflects the reality of the event or situation. When required by a specific donor, this review and approval may be mandatory. It is the responsibility of the GFEMS project manager to understand which materials need to be submitted to donors and communicate that with subrecipients, as needed. If the GFEMS project manager has questions about whether or not a photo, video, interview, or other form of storytelling meets the requirements outlined in this document, they should consult the Communications Specialist, who will make the final decision.

One exception to this approval requirement is the use of photos or quotes from beneficiaries for the purposes of social media. In order to allow subrecipients the ability to share and promote major milestones and events in realtime, as is the nature of social media, GFEMS does not require approval of photos or quotes that are published on social media. However, subrecipients should notify GFEMS of the date, time, and nature of event that will be occurring so that GFEMS staff may monitor social media accounts of awardees. GFEMS may amplify social media posts, but also reserves the right to request prompt removal of any noncompliant posts. In order to mitigate any risk affiliated with posting photos or quotes from beneficiaries, subrecipients are advised not to post photos of faces, landmarks, or other identifiers while sharing updates in real time.

4. Compensation

GFEMS employees and its subrecipient are strictly prohibited from offering financial, in-kind, or any other form of compensation in exchange for taking photographs or collecting the stories of program beneficiaries. All image subjects must willingly and voluntarily consent to having their photograph taken or story collected.

On some occasions, GFEMS may purchase rights to photography (or art in another medium), where the subject is not of our own programs to include in publications.

5. Ensuring Accuracy

Images and the contexts they portray will be accurately described (in captions and in text) and attributed when published. When taking photos at/from programs on the ground, all image subjects must be beneficiaries of GFEMS programs, directly or indirectly. If they are an indirect beneficiary, such as a family member of a program participant, both the direct and indirect

beneficiary must give consent to their inclusion in photographs, and the nature of the relationship to GFEMS must be documented.

All those involved in gathering images will not direct subjects, i.e, will not give instruction to beneficiaries on how or where to pose. Content of all photographs will be organic, candid, or self-directed by the subject of the image. If photographing inanimate objects, photographers will not rearrange objects or scenery. All photos of objects will be taken in their original and existing arrangements.

Those involved in gathering photos for GFEMS or GFEMS-funded programs are responsible for collecting the following information:

- Date
- Country
- Name of person (First name only is satisfactory if the victim is concerned about safety)
- Age (if known)
- Family status (e.g., mother of four)
- Modern slavery status (e.g., survivor, current victim, etc)
- Consent to publish (Y/N)
- Consent to identify (Y/N)
- Witness to consent (if verbal)

Images used in publications must be relevant to the current context which they are being used to illustrate. Images used in any publication should not have been taken more than 24 months earlier than the date of publication. Any photos older than 36 months need to be archived with appropriate documentation supporting their contexts.

6. Additional Guidelines on Child Protection

The following guidelines are in addition to the guidelines for consent explained above and are designed to protect the safety and dignity of the child. The Fund defines a child as “any human being below the age of 18’ (this is aligned with the Convention on the Rights of the Child, and also applied in Palermo Protocol).

GFEMS staff and the staff of its subrecipient organizations will not photograph or film a child beneficiary for non work-related purposes (ie do not take photos or collect other information on a personal device or use photos or stories on platforms other than those specifically designated for work purposes). If a staff member does capture images that include children for non-work purposes, the same precautions must be taken when publishing on a personal (private) platform as they would if the image were to be published in an official GFEMS or GFEMS subrecipient publication. A personal platform includes social media accounts, a photo-sharing platform, a personal blog or website, or in any public document that is not owned by GFEMS or its subrecipient organizations. When photographing or filming a child for work-related purposes, GFEMS and GFEMS subrecipient staff will:

- comply with local traditions or restrictions for reproducing personal images,

- obtain informed consent as prescribed earlier in this document
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner, as defined in section 1
- ensure children are adequately clothed and not in poses that could be seen as sexually suggestive
- ensure that children are never alone with photographer; there should be at least two persons present including someone the child trusts, such as the parent/legal guardian
- ensure images are honest representations of the context and the facts, and
- ensure file labels do not reveal identifying information about a child
- **Never** publish information that can be used to make contact with a child. This means you should never publish the surname and location of a child simultaneously. If a name is to be published in a story where the subject is a child, such as a case study or editorial, **always** use an alias.
- Before publishing any photo, remove any item within a photo that may be used to identify the location of a child. This could be a logo or name on school uniform, a flag in the background, any symbols or imagery on clothing that is specific to the location the child resides, etc.

In the case of children GFEMS and its subrecipients will follow [IRB definition](#) of assent, children, legal guardian, and parent.

7. Violating Ethical Photo and Storytelling Guidelines

Per terms of the Fund's funding agreements, the use of the GFEMS name or logo on any published document requires consent by GFEMS staff. Images that will be used in a document bearing the Fund's name must also be approved by GFEMS staff. If a subrecipient publishes a photo that violates the Ethical Photo Guidelines described in this document, GFEMS reserves the right to request the removal of the image from the document and all public facing platforms. If a subrecipient experiences a data breach in which identifying information of victims, survivors, or beneficiaries has been compromised, GFEMS and its subrecipient will take immediate and adequate measures for containment and learn from the experience to prevent any repeat occurrences.

8. Equality and non-discrimination

Images published by, or in association with GFEMS, are considered to be a visual representation of our approach to equality and non-discrimination. All individuals, regardless of sex, race, gender and sexual identity, religion, ability, or other minority status must be represented with accuracy and dignity. Photographers or filmmakers must ensure individuals who fall into these categories are shown as an integral and valuable part of their respective community.

9.0 Credits and Third Parties

GFEMS and its subrecipient will credit images taken by third party or freelance photographers in the following format, unless otherwise noted: GFEMS/ Photographer's Name.

GFEMS and its subrecipient may be requested to share GFEMS-owned images with third parties. GFEMS-owned images will only be shared with third parties if they are being used to promote the Fund, its work, and the problem of modern slavery.

10. Legal Issues

Legal protections regarding the use of images vary depending on location and most legislation relates to Western countries. For example, in the US and Europe, only images with the subject's consent should be made public, but this is often balanced against the right to free speech and the right to inform.

In addition to the Fund's guidelines, there are legal precedents at international, national, and local levels that require compliance in regards to photography and storytelling. The guidelines detailed in this document are informed by these precedents. While not listed here, subrecipients are responsible for reviewing and complying with national and local privacy, image, and storytelling laws and regulations in the countries where they are active.

The guidelines detailed in this document are also informed by the following international laws and regulations:

- Article 12 of the Universal Declaration of Human Rights:
 - *“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”*
- Article 17 of the International Covenant on Civil and Political Rights:
 - *“No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.*
 - *“Everyone has the right to the protection of the law against such interference or attacks.”*
- Article 6 of the Palermo Protocol: Assistance to and protection of victims of trafficking in persons
 - *“In appropriate cases and to the extent possible under its domestic law, each State Party shall protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such tracking confidential.”*
- Article 17 of the United Nations Convention on the Rights of the Child
 -

While legal cases regarding photos or stories tend to involve celebrities or public officials, GFEMS and its subrecipient organizations should not overlook the potential legal implications of photography and storytelling. By following the guidelines in this document and ensuring full consent, the Fund and its subrecipient can prevent legal issues from arising.

In the vast majority of cases, staff will use images without any cause for concern; if issues are raised then the ultimate decision about an image's use rests with the Fund's Director of Grant Programs.

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GFEMS Photography and Storytelling Consent Form Individual

Name

Date

Country

I grant the Global Fund to End Modern Slavery and its affiliates to take and use photographs, video footage, interviews and/or other forms of stories taken of or about me of for any legal use, including but not limited to: publicity, advertising, fundraising, publications, and web conten. Furthermore, I understand that no royalty, fee or other compensation shall become payable to me by reason of such use.

I understand that I have the right to revoke this consent at any point in the future.

I give my consent for the images/footage, interviews, and/or stories collected to be used by GFEMS. I understand the following:

1. The material will be stored by GFEMS and could be used on printed materials (including fundraising appeals, publications and adverts) and online including social media.
2. The material could be used by GFEMS offices around the world in perpetuity.
3. The material could be used by the Fund's subrecipient in advocacy, fundraising, campaigning and program work.
4. The material could be used in the press, such as in newspapers and on television. GFEMS will abide by the ethical image policy and ensure that all material is used accurately and honestly. The material will not be used out of context. The material will only be used by organizations or individuals that are working with GFEMS and supporting its aims.

Signed: _____

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GFEMS Photography and Storytelling Consent Form Community

Name

Position/Title

Date

Country

Community or institution (e.g., school):

I have discussed the collection of stories and images with the residents/attendees of _____ and explained all the photos, video footage and interviews from this visit will be used by GFEMS and its subrecipient for publicity, advertising, fundraising, publications, and web content.

1. The material will be stored by GFEMS and could be used on printed materials (including fundraising appeals, publications and adverts) and online including social media.
2. The material could be used by GFEMS offices around the world in perpetuity.
3. The material could be used by the Fund's subrecipient in advocacy, fundraising, campaigning and program work.
4. The material could be used in the press, such as in newspapers and on television. GFEMS will abide by the ethical image policy and ensure that all material is used accurately and honestly. The material will not be used out of context. The material will only be used by organizations or individuals that are working with GFEMS and supporting its aims.

Signed: _____

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**GFEMS Photography and Storytelling Consent Form
Children and Minors**

Name of Child (First Name, Last Initial): _____

Name of Parent/Guardian: _____

Relation to Child : _____

Date: _____

Country: _____

I confirm that I grant the Global Fund to End Modern Slavery and its affiliates to take and use photographs of the above named child for any legal use, including but not limited to: publicity, advertising, fundraising, publications, and web content. Furthermore, I understand that no royalty, fee or other compensation shall become payable to me by reason of such use.

I understand that I have the right to revoke this consent at any point in the future.

I understand:

1. The material will be stored by GFEMS and could be used on printed materials (including fundraising appeals, publications and adverts) and online including social media.
2. The material could be used by GFEMS offices around the world in perpetuity.
3. The material could be used by GFEMS’s subrecipient in advocacy, fundraising, campaigning and programme work.
4. The material could be used in the press, such as in newspapers and on television. GFEMS will abide by the ethical image policy and ensure that all material is used accurately and honestly. The material will not be used out of context. The material will only be used by organisations or individuals that are working with GFEMS and supporting its aims.

Signed (Child/Minor): _____

Signed (Parent/Guardian): _____