

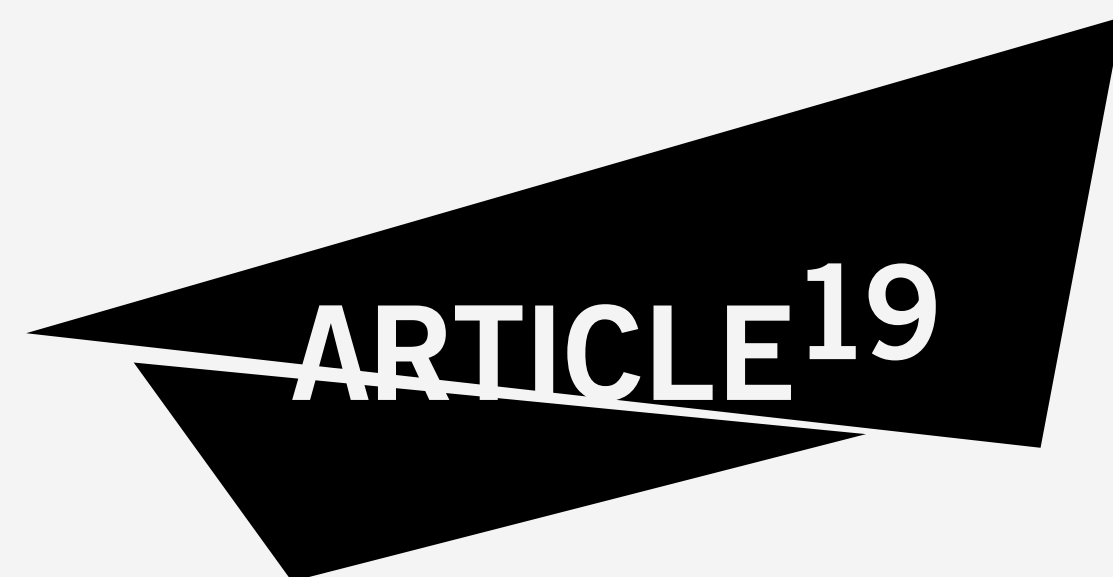
Making the

invisible

visible

Guideline 2.

Advocating on emblematic cases of attacks against journalists using an intersectional gender approach



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About these guidelines

This document is the second of a set of three practical guidelines that provide recommendations for considering an intersectional gender approach when:

- **monitoring and documenting attacks against journalists and social communicators¹ ([Guideline 1](#));**
- **advocating on emblematic cases for advocacy (this [Guideline](#)); and**
- **organising protection training ([Guideline 3](#)).**

These three guidelines are designed so that they can be read together or as standalone documents. However, **we recommend reading this document in addition to guidelines 1 and 3**, which complement this guide on selecting emblematic cases from an intersectional gender perspective.

The guidelines are intended to address a wide range of needs: from a beginner who is just starting in this kind of practice to a more experienced person who wants to further refine their knowledge and expertise. They were written to strengthen ARTICLE 19’s practices, but we are making them public as we think they might be useful for other organisations.

ARTICLE 19 staff should read these guidelines in conjunction with, and as complementary to, the following two ARTICLE 19 documents, which are available on the internal Wiki:

1. [Guidelines for Researching Cases, Incidents and Issues](#)
2. [Draft Guidelines: Using Emblematic Cases in Campaigns](#)

What is an intersectional gender approach?

This guide begins with **gender** at its centre, analysing the systemic oppression resulting from the social construction of what it means to be ‘feminine’ and ‘masculine’.

Yet, for ARTICLE 19, a gender approach is intrinsically an intersectional one. Gender is part of the various systems of social oppression under the umbrella of **intersectionality** (see Figure 1), which consider people who identify as women, men, and non-binary.²

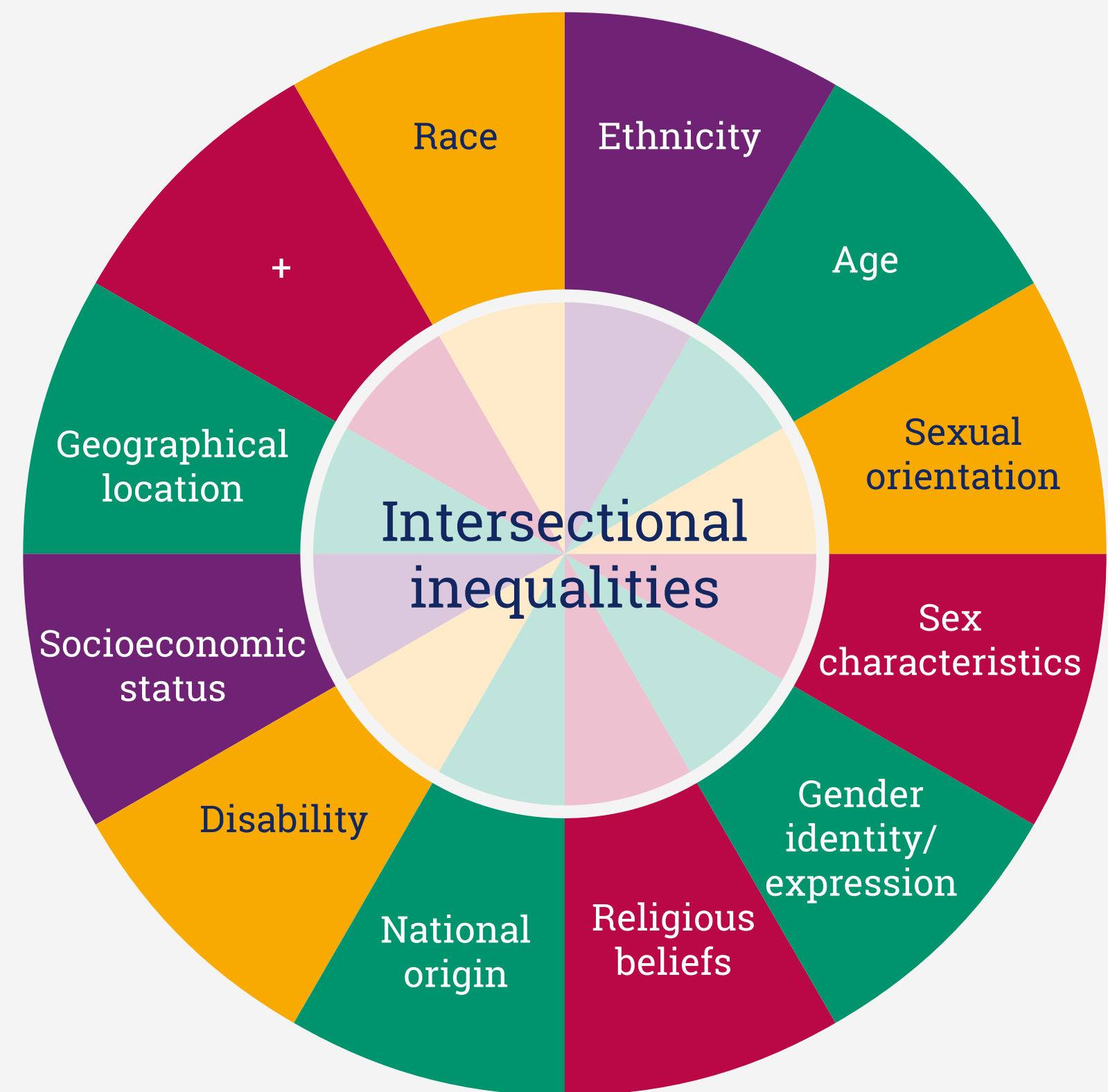


Figure 1: Intersectional inequalities

¹ ARTICLE 19 uses a functional definition of journalists and communicators, as per the UN Human Rights Committee General Comment 34: ‘Journalism is a function shared by a wide range of actors, including professional full-time reporters and analysts, as well as bloggers and others who engage in forms of self-publication in print, on the internet or elsewhere’.

² ARTICLE 19 uses ‘women’ and ‘men’ to refer to all those individuals who identify themselves as such.

As ARTICLE 19's experience and practice have shown, individuals also face multiple, overlapping discriminations on the basis of race, ethnicity, age, sexual orientation, sex characteristics, gender identity/expression, and religious beliefs, among others. An intersectional analysis should therefore be adopted to understand how other social categories influence, and thus exacerbate, violations of journalists' and social communicators' right to freedom of expression.

To reflect this, these guidelines will refer to an **intersectional gender approach**. An intersectional gender approach starts with the fact that differences between the roles of women and men – in terms of their relative position in society and the distribution of resources, opportunities, constraints, and power in a given context – cannot be analysed in a separate silo. Instead, such differences must be placed within a systemic framework of intersectional inequalities (see [Figure 1](#)), overlapping gender discrimination with other forms of discrimination.

How we created these guidelines

The authors of these guidelines conducted qualitative research, based on interviews with ARTICLE 19 staff worldwide and outside gender experts, using a semi-open-ended questionnaire. They also conducted a review of specialised literature and ARTICLE 19 documentation. They mapped, systematised, and analysed this information, identifying practices, experiences, and gaps (or doubts) within ARTICLE 19 offices around the world. All of this informed the development of these guidelines.

Scope of these guidelines

These guidelines are about the safety and protection of journalists and social communicators, which can be addressed by monitoring and documenting the attacks they face, building their capacity to protect themselves, and raising awareness nationally and internationally on the issue. While many of the recommendations in these guidelines could also apply to human rights defenders (HRDs), they were built from the experience and expertise of ARTICLE 19 staff concerning journalists and social communicators. Caution is therefore required before automatically applying them to any case of HRDs.

A living document

These guidelines, and the recommendations they offer, do not aim to be prescriptive, nor do they pretend to respond to all contextual aspects. We invite those who use them to adapt them to their own needs and realities. They aim to provide recommendations for how to mainstream an intersectional gender approach into an organisation's existing work; they do not define specific methodologies for how to document, advocate for, or train journalists.



Why is mainstreaming an intersectional gender approach important when analysing attacks against journalists and social communicators?

Why is mainstreaming an intersectional gender approach important when analysing attacks against journalists and social communicators?

To deepen our understanding of risks that journalists and social communicators, in all their diversity, face.

To highlight how freedom of expression is connected to other rights of groups subjected to intersecting oppressions, and to uphold those rights.

To make naturalised aggressions visible, especially those that affect the freedom of expression of journalists and social communicators, in all their diversity.

To avoid replicating the oppressive relationships that, for many years, have been reproduced – even by civil-society organisations.

Figure 2: Why is an intersectional gender approach important?

As well as documenting violations of journalists' and social communicators' right to freedom of expression, any cases of attacks against these groups should be analysed from an intersectional gender perspective.³ This is important because it assists with:

- **Selecting a case** concerning attacks against journalistic activities, or the exercise of freedom of expression, that would otherwise not be considered emblematic – and would thus go unnoticed or be deprioritised.
- **Enriching the background of the case** to expose systemic, structural, and sociopolitical issues impacting on journalists' and social communicators' exercise of freedom of expression.
- **Improving organisational practices** in working with emblematic cases to make intersectional inequalities (see [Figure 1](#)) visible. Such inequalities exacerbate the risks and impacts of attacks against journalists and social communicators, and exposing them improves diversity, equity, and inclusion.

³ The documentation is a process that focuses on violations of human rights and the impacts they have on the right to freedom of expression and information. As much as possible, they should follow international standards of infringement, engaging the responsibility of State and non-State actors.



What is an intersectional gender approach to advocating on emblematic cases of attacks against journalists?

What is an intersectional gender approach to advocating on emblematic cases of attacks against journalists?



Over time, we would expect emblematic cases to demonstrate ARTICLE 19's growing commitment to advancing gender equality and social justice.

How do we ensure an intersectional gender balance in the criteria for selecting emblematic cases? We propose at least two ways.

Actively seeking cases impacted by gender and other intersectional inequalities

The classic approach is actively seeking out cases in which attacks are differentially affected by gender and other forms of intersectional inequalities (see [Figure 1](#)). Active case-seeking requires time and diverse strategies, ranging from media monitoring to organising intersectional gender-responsive workshops where individuals find a safe space to share their stories. Many of these strategies are developed in [Guideline 1](#) and [Guideline 3](#).

Conducting an intersectional gender analysis of any given case

Another approach is highlighting any gender and intersectional inequalities involved in the human rights violation, or pattern of violations, of any given case. This involves:

- (a) Identifying the various forms of oppression that hierarchise that particular individual; and
- (b) Establishing how those factors affect the individual's situation and exacerbate discrimination and inequality against them.

For example, the case may have occurred to a man, and it is essential to take into account intersecting inequalities – such as ethnicity, (perceived/presumed) sexual orientation, or (perceived/presumed) gender expression and identity – to understand the complexity of the rights violation or pattern of abuse being studied.



Not all attacks against women journalists have a gender component just because they happen to a woman. The impacts of the attacks are likely to be different, but the episode itself is not necessarily gender-motivated.

In this context, it is necessary to distinguish between an aggression against a journalist derived from her professional activity in which the characteristics of the attack are gendered (e.g., threats of rape if she continues to cover a topic) from aggressions against a journalist who belongs to a population group to which attention is drawn (e.g., the structural problems of access to justice for racialised journalists).

Risk assessment

A risk-assessment model must take into account, with special care, how journalists and social communicators – as well as an organisation's staff – may experience severe backlash due to the intersectional inequalities at play in any given context. In other words, when investigating a particular attack, we must also ask how intersectional inequalities impact on the level of vulnerability of everyone involved in the case.

For example, gender and sexual orientation make many people more exposed to degrading social stigmatisation, while – as many guides to protecting women HRDs have shown – collateral attacks on family members, especially children, are common.

In this sense, the risk analysis should consider three factors:

1. The intersectional inequalities experienced by the people involved in the case;
2. The issues they work on; and
3. The context in which they work (e.g., conflict zone, rural area, or territory with few freedom-of-expression guarantees).

All these factors are intertwined and influence each other. In all three, an intersectional gender analysis should be conducted to understand the social complexities the affected individuals and their immediate community face, to identify the different risks and impacts of those complexities, and to plan ways to mitigate them.

Thus, assessment questions should always consider both gender and other forms of intersectional inequalities (see [Figure 1](#)). The answers to these questions should be constructed collectively between ARTICLE 19 and others involved in the emblematic case, including individuals in the most vulnerable contexts.

Research and confirmation of facts

At this stage, there are at least four factors to consider.

Desk research

It is essential to be mindful of gender- and intersectionality-blinded evidence (e.g., police reporting and practices that do not consider, or that reinforce, social systems of oppression and discrimination). Be sure to conduct an intersectional gender analysis of the evidence, and gather the most diverse sources to strengthen the context analysis. When citing or referring to proof that fails to provide gender and intersectional information, draw attention to the need to correct this in the future.

Interviews

When interviewing individuals, ask questions that help to establish any intersectional inequalities (see [Figure 1](#)) that may relate to the incident's causes (see [Appendix 2](#)).

Explain to interviewees why intersectionality is essential to understanding the context and risks of the incident. Depending on the sociocultural context, consider asking probing rather than direct questions to tease out social factors that may play a role in the case.

Interviewing family members, legal representation, and any other person or group (e.g., HRDs or NGOs in the field) can be helpful to contextualise the case: who the person is (i.e., the intersectional inequalities they may experience in their context), the context they work in (e.g., a territory controlled by criminal groups, or with a predominantly indigenous population), the place where the incident occurred, etc.

Staff should assess the credibility of all sources and strive to identify sources' unconscious and conscious biases regarding gender roles and the rights of groups affected by other intersectional inequalities (see [Figure 1](#)).



When reviewing audiovisual material, pay attention to any comments that may allude to gender or other intersectional equalities (e.g., gendered or racist slurs).

Principles of non-revictimisation

Revictimisation is any action, omission, or behaviour that makes individuals relive trauma or negative experiences, which harms the victim/survivor's physical, mental, or psychological state, and makes them a victim again. In the eagerness to obtain details from testimonies, it is vital to set limits and promote conditions that prevent and mitigate this risk. **Remember that the wellbeing and dignity of individuals outweigh the need to collect data.**

- Discuss the questionnaire with the protection team before interviewing the victim/survivor to identify any issue that requires a different approach or careful attention. When investigating gender-based violence, consult with experienced colleagues.
- Consider, for each question, the potential impact on the interviewee and whether the information is essential. For sensitive cases, consider explaining to the interviewee the reason for, and purpose of, the question.
- Gather as much information as possible beforehand. When first interviewing victims/survivors, share that information, and only ask them to add something missing.
- Conduct the interview respectfully and empathetically, especially when asking for details of gender-based violence. Ensure interviewees understand they can stop the dialogue at any time and refuse to answer any question, that there are no consequences if they do not answer a question or choose to withdraw their consent at any time, and that they are in control of the interview and can request a break at any time. Be sure to inform individuals that the interview will be conducted with complete confidentiality.

- Avoid asking victims/survivors to retell their story after the first session. With the individual's consent, consider sending the documentation (or a selection of it) to the authorities to prevent them from having to retell their stories.
- Ensure that a limited team has contact with the victim/survivor and, as far as possible, seek to ensure that the contact person(s) remain the same. As mentioned, when the victim/survivor is a woman, or has experienced sexual violence, they will likely prefer to discuss the case with a woman. Only invite others to a session with the victim/survivor when necessary and with their consent.
- Ask the interviewee whether they want to be referred to as, or identified with, the term 'victim' or the term 'survivor'. Respect their wishes in internal and public communications about the case. Explain that the use of 'victim' may be necessary where legal actions are pursued.
- Bear in mind cultural differences – such as different gender roles and statuses, inappropriate attitudes, etc – when interviewing. In addition, prepare the interview to make the person feel comfortable. The interviewer must ensure there is enough time for the interview, that water is available, that there are no or few distractions, and that the interviewer can be present and ready for active listening.

Time frame

Remember that **mainstreaming an intersectional gender approach** (see [Figure 3](#)) requires more work and time, initially, until it becomes natural to look at everything through this lens. Sometimes, for example, an individual who has experienced sexual violence will require space and time to feel emotionally ready to talk about the incident. It will also take time to verify the context in which the incident occurred.

Defending and promoting the right to freedom of expression of journalists and social communicators, in all their diversity, so they can exercise it freely without interferences – including those imposed by gender norms and discrimination – is a core commitment of ARTICLE 19.

To achieve this, it is essential to mainstream an intersectional gender approach in three areas:



Figure 3: Mainstreaming an intersectional gender approach

Informed consent and data protection

Extreme care must be taken to ensure that power relations and social hierarchies do not inadvertently force individuals to consent. Consider the following (in addition, for ARTICLE 19 staff, to [Draft Guidelines: Using Emblematic Cases in Campaigns](#)):

Guidelines for informed consent

- Explain the role of the interviewer within the organisation, some of their own background information and history (including to build trust), who will have access to the information, the confidentiality of all the data collected, etc.
- Offer the option of anonymity and respect the individual's decision in all internal and external communications about the case.
- When presenting information to individuals, be mindful not to propose consent as the only option for them.
- Avoid any technical language that can be difficult to understand.
- Be receptive to any sign of hesitation (even non-verbal) about giving consent.
- Present individuals with various channels for withdrawing consent, and establish a process for informing other interested parties of any withdrawal of consent.
- Ask for special consent if individual quotes or photographs will be used in public campaigns.

Be sure to protect the information gathered in storage or transit. In addition, develop privacy and data-protection policies, which should detail what information should be kept, for how long, and who can access it. Delete any information that is no longer relevant to the case and will not be helpful for strategic litigation purposes at future stages. When the time frame for preserving data needs to be extended for these purposes, inform the individuals involved in documenting the case in a timely and diligent manner.

Data-protection procedures

- All information gathered should be securely stored.
- All personal data collected through research (including names and contact details of witnesses/sources) must comply with national data-protection regulations in the relevant country, and with the European Union General Data Protection Regulation in the case of EU members.
- The interviewee consent form should also ask for permission to store the data.
- Data must be kept and used only for the purposes explained to participants.

Campaign asks

Advocacy goals

When defining advocacy objectives, it is essential to consider redress measures that are tailored and responsive to the intersectional gender components of the human rights violation(s). For example, in the case of threatened women journalists, one action may be to ask the authorities to consider the gender elements of the threat, consider those elements as aggravating, and provide redress measures accordingly.

Be sure to also conduct an intersectional gender analysis when assessing measures that the State and other third parties use to deal with the incident, from activating legal channels to more immediate protective measures (relocation, escorts, etc). If those measures are not responsive to gender and other intersectional inequalities, this may require an additional call on the authorities. For example, call on prosecutors to apply existing protocols on investigating crimes with a gender perspective.

When considering individuals' participation in a public event that includes interaction with audiences and the media, be sure to manage expectations; for example, ensure the individual understands the objectives, impact, and expected outcome of the event, as well as the possible reaction and reception of the audience, organisers, etc. In addition, be sure to prepare the individual to respond to questions or comments that may have the effect of revictimising them (e.g., questioning their experience).

Campaign materials

When developing support materials for the campaign, use non-sexist and non-victimising language (see [Figure 4](#)).

Non-sexist language

avoids the generic use of masculine gender terms and discriminatory written or visual expressions that describe people based on their physical appearance or the qualities and gender roles attributed to their presumed or perceived sex. It also respects a person's wishes for how they want to identify themselves.

Non-victimising language

puts the victim/survivor at the centre. In doing so, it is necessary to put the spotlight on the perpetrators (even if their identity is unknown) by using active language that holds perpetrators accountable for the aggression. It also requires drawing attention to the systems of oppression and discrimination that interfere in a given context.

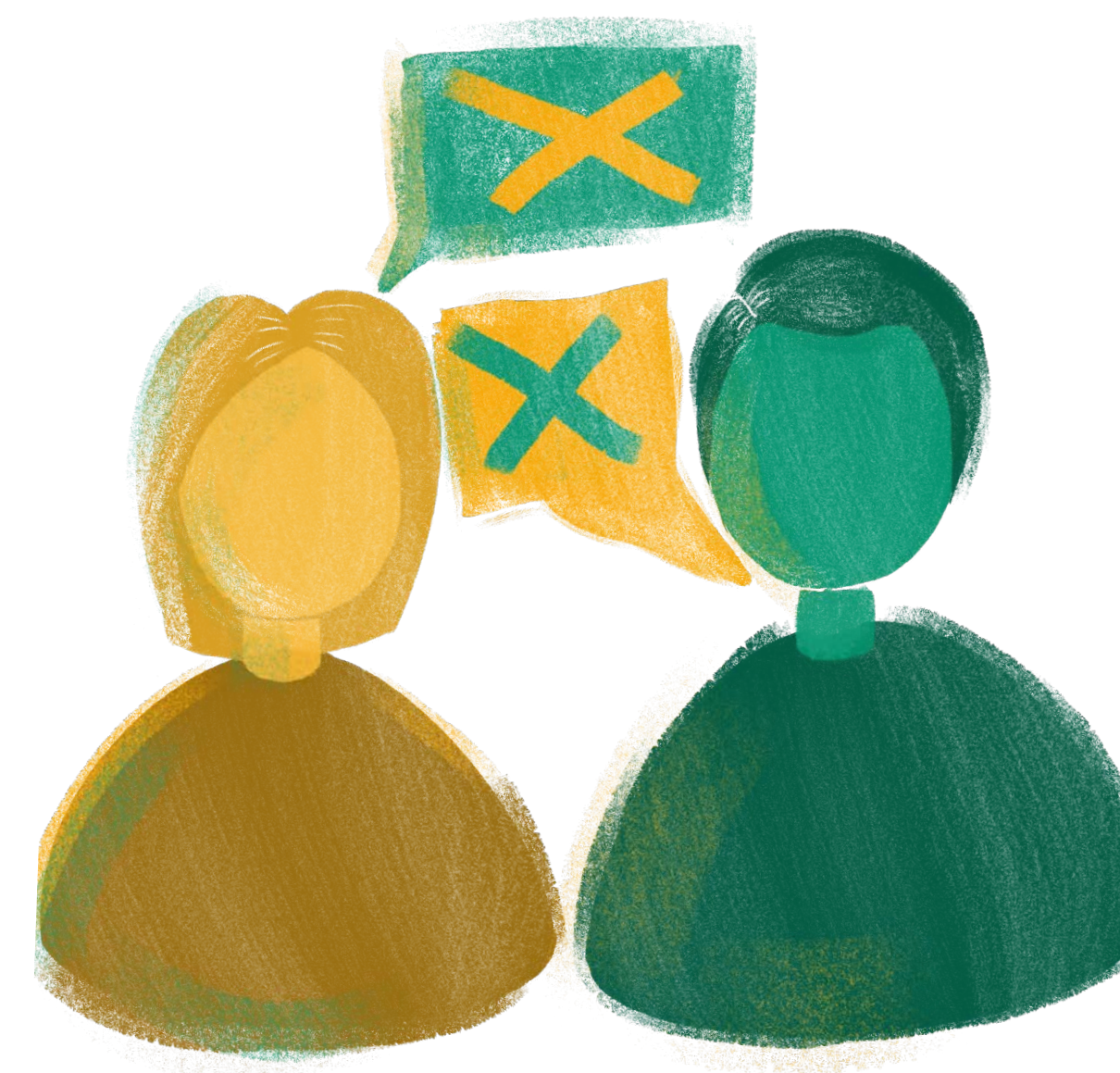
Figure 4: Non-sexist and non-victimising language

Ensure any visual materials represent a diversity of intersectional inequalities (see [Figure 1](#)). Never choose an image which plays into stereotypical, discriminatory, or derogatory narratives of individuals, communities, ethnic groups, or genders. Instead, represent dignified, diverse, and rights-holding individuals/communities. In practice, this requires constant revision and awareness of staff members' own biases and unconscious assumptions.

All photos require signed consent forms from the individuals. Without such forms, the materials cannot be used.

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Managing expectations and exit strategy

In all interactions with individuals, the organisation's staff members are responsible for their actions in documenting and researching a case – and therefore the consequences of any process initiated (e.g., legal, psychosocial, political) on the individual in relation to their case. Thus, it is important to be mindful of the expectations one creates, the role one plays, and the psychosocial needs individuals may have. For example, sometimes talking about what happened is a healing process in itself; at other times, it is necessary to offer or connect individuals (and, potentially, family members) with specialist psychosocial support.

Appendix 1: Minimum standards for notes of interviews

Notes of interviews/exchanges with individuals should include the following information as an absolute minimum:

- Name of interviewee
- Time and date of interview
- Location of interview
- Language(s) in which conversation was conducted (was a translator used? Y/N)
- Subject matter discussed
- Thorough notes of the discussion, including direct quotes (marked as such in the notes)
- Any action points
- Details of any confidentiality requirements/parts of the information/personal information that must not be publicly disclosed

In addition, from an intersectional gender perspective, include the pronouns the individual identifies with (she/he/they/etc), as well as any characteristics relating to other intersectional inequalities. Not all interviewees will be familiar with this good practice, so consider adapting the language according to the context (when asking for someone's pronouns, for example, consider asking: "How do you prefer being addressed by your loved ones?"), and explaining why and how it can be used for the purposes of analysis, tracking data, and addressing intersectional inequalities.

Let the interviewee know, however, that they do not have to provide this information if they don't want to, and only collect it if there is no risk of revictimisation to the interviewee.

Appendix 2: Checklist for case files

If you use a checklist for case files, include a field for any intersectional inequalities (see [Figure 1](#)) affecting the individual that may be relevant to the case. Remember that all this information is sensitive data, and should be handled with special protection.

Also, include the following questions:

- What was the individual covering or working on at the time of the incident? Could this have been a trigger for the incident?
- How do the characteristics of the incident relate to gender and other forms of intersectional inequalities (see [Figure 1](#))? What role did the intersectional inequalities affecting the individual play in the incident? Did they make it worse or not?

ARTICLE 19 staff should use the above in conjunction with the *Checklist for Casefiles* in Appendix 2 of the [Draft Guidelines: Using Emblematic Cases in Campaigns](#).



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