



## Opinion No.45

**on the materials of Broadcasting Company Studio 1+1 LLC ,  
Internet portal Vesti.ua and the Ukrainian service of the  
British Broadcasting Corporation (BBC News Ukrainian)**

Kyiv

December 29, 2020

### **I. CIRCUMSTANCES OF THE CASES**

1. On November 15, 2020, the Independent Media Council initiated a review of the cases regarding the pieces aired or published by Broadcasting Company Studio 1+1 LLC, Internet portal Vesti.ua and the Ukrainian service of the British Broadcasting Corporation (BBC News Ukrainian) to provide an opinion on compliance with journalistic standards and the provisions of the Ethics Code of Ukrainian Journalists.

2. The selected cases comprise the most egregious examples of media coverage of crimes against sexual freedom and gender-based violence that caused a significant public outcry at the time of publication. The selected situations also demonstrate the long-term nature of this issue and the recurring violations on the part of the media. In view of the increasing numbers of cases of unethical coverage of the victims, mishandling personal data and a blurring of the boundaries of privacy on the pretext of contributing to the public debate, the Independent Media Council thinks it necessary to express its position on the standards of reporting on the aforementioned topics.

#### ***A. The piece aired during the "TSN" program by Broadcasting Company Studio 1+1***

3. The [piece](#) is dedicated to covering the case of a young woman summoned for interrogation in the case of robbing a store in the village of Stavy, and subsequently beaten and raped by police officers at the Kaharlyk police department. The nearly three-minute piece informs about the restrictive measures granted by the court for those accused of the crime. However, the focus is mostly on the victim's personality. The story discloses the victim's name, age and marital status, as well as some aspects of her biography unrelated to the case, i.e. her being unemployed, information with regard to the woman's parental responsibilities toward her own child and her fellow villagers' opinions about her. Besides, the journalists interviewed the victim's younger sister, a minor, without her parents' consent, filmed the woman's house and covertly filmed her parents despite their outright refusal to comment to the media. The latter declined to comment emphasizing the victim's reluctance to communicate with the media. On the online portal "TSN", the headline reads as follows: "... *the victim avoids journalists*". The piece also contains a comment from the victim's lawyer on the unacceptability of the actions

of the police representatives and disclosing the medical data about the woman's health condition at the time of broadcasting the story.

4. Besides the story in the TSN program, the victim's photo and name were published by the media "Stolychnyi Region". After the stories were broadcast by the aforementioned media, the victim's lawyer said in a [comment](#) to Hromadske.ua that there was no official consent both to publication of the victim's name or to sharing her photo. The lawyer also stressed that he had declined the TV crew's request to film the woman's relatives. At the same time, the TV crew did not inform about the filming and interviewing of the woman's parents that day.

5. Due to criticisms from numerous human rights and media communities on the violation of journalistic standards in this piece, TSN.ua [came up](#) with a statement admitting some mistakes in their work. However, the newsroom also noted that "*in the Ukrainian realities, wide coverage is what guarantees that the case will not be hushed up, the victim will stop being intimidated, and the perpetrators will be punished*", emphasizing that the story was structured so as not to build an image of a dishonorable person around the victim. Information about the details of the rape in Kaharlyk keeps being [disseminated](#) by various media (including the victim's personal data and photos).

### ***B. The pieces published on the online portal Vesti.ua***

6. In the [news story](#), Vesti.ua informs about a five-year-old Ukrainian girl allegedly raped at an Egyptian resort in mid-August 2020. Besides the information about hospitalization, the authors of the story disclosed the child's city of residence and name (unusual for that region). At the end of the story, a law enforcement officer is quoted as citing the mother's words about her child's injury as a result of a bad jump into the pool and emphasizing having grounds to believe that a crime was committed. The text also mentions that criminal proceedings were opened under Part 4 of Article 153 of the Criminal Code of Ukraine (sexual violence against a person under fourteen years of age), as well as procedural acts. The news is hashtagged *#raped child*, *#recreation in Egypt*, *#pedophile* and *#Sharm El Sheikh*, which helps find it using a targeted search on the online portal.

### ***C. The pieces published by the Ukrainian service of the British Broadcasting Corporation (BBC News Ukrainian)***

7. The [news story](#) gives a detailed chronology of the events relating to the raping and beating a shop assistant in Vradyivka by the local police department staff (the events of 2013, before the reform) and subsequent reaction to the crime on the part of the local community. The piece contains information about the victim's state of health, name, and a photo from a hospital ward on which the victim has numerous hematomas. In an interview with the woman, various details are given about the chronology of the crime and the identity of the alleged perpetrators. The newsroom mentions that two individuals were detained while no restrictive measures were taken against the third suspect, perhaps because of an alibi. The piece also features the thoughts of Vradyivka residents about the suspects' family connections with the employees of the Prosecutor's Office and the major general at a department of the Ministry of Internal Affairs in the Mykolayiv oblast (formerly, chief of Vradyivka regional militia department).

8. In the second part of the story, the focus is shifted to the events following the incident, describing the community's reaction to the crime. Specifically, the piece is about the distributing of leaflets calling to protect the victim, raising funds for her treatment and the protests near the police station, using Molotov cocktails and demanding that the suspect be prosecuted (insisting on false alibis and concealment of evidence). The piece also contains a description of the attack on the regional police department and the reaction on the part of the

law enforcement officers, using tear gas and firearms. As a result of the actions of the Vradiyivka residents, the regional police department building remains damaged, with traces of soot. The newsroom noted a significant attention to the case from human rights activists, on the Internet and in other media. The story concludes with the major general of a department of the Ministry of Internal Affairs in the Mykolayiv oblast and the head of Vradiyevka regional department of militia being removed from office.

## II. REGULATION

### 1. [Constitution of Ukraine](#)

**Article 34.** Everyone is guaranteed the right to freedom of thought and speech, and to the free expression of his or her views and beliefs.

Everyone has the right to freely collect, store, use and disseminate information by oral, written or other means of their choice.

The exercise of these rights may be restricted by law in the interests of national security, territorial indivisibility or public order, with the purpose of preventing disturbances or crimes, protecting the health of the population, the reputation or rights of other persons, preventing the publication of information received confidentially, or of supporting the authority and impartiality of justice.”

### 2. [European Convention on Human Rights](#)

**Article 8.** Right to respect for private and family life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

**Article 10.** Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.”

### 3. [Civil Procedure Code of Ukraine](#)

**Article 296.** The right to use names

5. The name of a victim of crime may only be made public with their consent.

### 4. [Law of Ukraine On Information](#)

## **Article 2. Main principles of information relations**

1. The main principles of information relations are:  
guaranteed right to information;  
openness, availability of information, freedom to exchange information;  
reliability and completeness of information;  
freedom of expression of views and beliefs;  
eligibility to receive, use, disseminate, store and protect information;  
protection of a person from interference in their personal and family life.

## **Article 11. Information about an individual**

1. Information about an individual (personal data) is information or a set of information about an individual who is identified or can be explicitly identified.  
2. It shall be prohibited to collect, store, use and disseminate confidential information about a person without their consent, except in cases specified by law and only in the interests of national security, economic well-being and protection of human rights. Confidential information about an individual specifically includes information about their nationality, education, marital status, religious beliefs, state of health, as well as address, date and place of birth.

## **Article 29. Dissemination of socially salient information**

1. Restricted information may be disseminated if it is in the public interest, and the public's right to know that information outweighs the potential harm from its dissemination.  
2. The subject of public interest is information indicating a threat to state sovereignty, territorial integrity of Ukraine; ensuring the implementation of constitutional rights, freedoms and responsibilities; indicating possible human rights violations and misleading the public, harmful environmental and other negative consequences of the activities (inaction) of individuals or legal entities, etc.

## **5. [Law of Ukraine on Television and Radio Broadcasting](#)**

### **Article 6. No abuse of freedom of broadcasting organizations' activities is allowed**

2. It shall be prohibited to use broadcasting organizations for disseminating any information which violates legal rights and interests of natural or legal persons.

### **Article 59. 1. Broadcasting organizations shall**

k) not disclose information about the private life of citizens without their consent if this information is not socially salient. If the court recognizes that disseminating information about a citizen's personal life is not socially necessary, non-pecuniary damage and material damage shall be reimbursed in the manner prescribed by laws of Ukraine.

## **6. [Ethics Code of Ukrainian Journalists \(2013 version\)](#)**

### **3. Journalists shall respect other people's private life**

Journalists shall respect a person's private life. This does not preclude their right to a journalistic investigation related to certain events and facts, should public significance of the information collected and disseminated by journalists be higher than a person's private interests.

### **13. Journalists shall not use illegal methods to obtain information**

Journalist shall not use illegal methods to obtain information. When collecting information, journalists act within the Ukrainian legal framework and use any legal procedures, including court procedures, against those who prevent them from collecting information. Using covert methods of gathering information is allowed only when it is necessary to ensure the authenticity or accuracy of the material. Such methods can only be justified when it is impossible to gather information in a different way.

**15. No one shall be discriminated against on the grounds of sex, language, race, religion, national, regional or social origin, or political affiliation.**

No one shall be discriminated against on the basis of sex, language, race, religion, national, regional or social origin or political affiliation. Respective characteristics of a person (group of people) should be indicated only if this information is an essential part of the journalistic material. It is necessary to refrain from hints or comments concerning physical defects or illnesses of a person, avoid using insulting expressions or profanities.

**18. Journalists shall be especially cautious when reporting on the issues relating to children**

Journalists should be especially cautious when reporting on the issues relating to children. Journalists and editors shall have reasonable grounds for reporting on the private life of a minor (minors) and have their parents' or guardians' consent. It is unacceptable to disclose the names of the minors (or the characteristics based on which they could be identified) involved in illegal activities or being participants in the events connected to violence.

## **7. [PACE Resolution 1003 \(1993\) "On Ethics of Journalism"](#)**

**4.** News broadcasting should be based on truthfulness, ensured by the appropriate means of verification and proof, and impartiality in presentation, description and narration. Rumor must not be confused with news. News headlines and summaries must reflect as closely as possible the substance of the facts and data presented.

**15.** Neither publishers and proprietors nor journalists should consider that they own the news. News organizations must treat information not as a commodity but as a fundamental right of the citizen. To that end, the media should exploit neither the quality nor the substance of the news or opinions for purposes of boosting readership or audience figures in order to increase advertising revenue.

**23.** The right of individuals to privacy must be respected. Persons holding office in public life are entitled to protection for their privacy except in those cases where their private life may have an effect on their public life. The fact that a person holds a public post does not deprive him of the right to respect for his privacy.

**25.** In the journalist's profession the end does not justify the means; therefore information must be obtained by legal and ethical means.

## **III. ASSESSMENT OF THE COMPLIANCE WITH REGULATION AND PROFESSIONAL STANDARDS**

### ***A. Confidential data, consent to dissemination of information and public interest: meeting points***

**1.** The privacy of an individual is for the most part a problematic field for journalists. The law of Ukraine On Information states that data about a person's marital status, state of health, address and date of birth are confidential. The Civil Code clearly complements this list by prohibiting dissemination of the victim's name without their consent, including such data within restricted information. In fact, the media should be cautious with regard to any information or news that, either separately or combined, makes it possible to identify an individual. In [Satakunnan Markkinapörssi Oy and Satamedia Oy v Finland](#), the European Court of Human Rights

(hereinafter referred to as the ECtHR) stated that compiling, processing or using personal data or publishing the material in a manner or degree beyond that normally foreseeable, private life considerations arise [§136]. At the same time, in view of a person's right to a form of informational self-determination - the ability to rely on the confidentiality of data about them and their activities – publicly available information, too, cannot always be disseminated [§137, 198]. Thus, a person's name and age were deemed confidential information protected by the right to privacy (see [Sousa Goucha v Portugal](#), §27; [B. v France](#), §63; [Burghartz v Switzerland](#), §24, et al.). According to [P.T. v the Republic of Moldova](#), a similar approach should be taken by the states to medical data on a person's state of health [§31–32]. A similar line of reasoning is used by the ECtHR in cases involving the distribution of home addresses. For example, in [Alkaya v Turkey](#), dissemination of data making it possible to identify a person's place of residence was found by the court to be an invasion of privacy due to the confidential nature of such information [§30]. In [J.S. v the United Kingdom](#), on the contrary, the press release did not contain the name, age, name of the educational institution or any other identifying information [§71], which prompted the ECtHR to conclude that there was no violation of the right to privacy due to the publication. The audience's ability to identify who a journalistic piece is about should be based on objective criteria.

In the case of disseminating information about the rape in Kaharlyk, the victim's name and age, the name of the village and the picture of the house in which she lives, information about her child and younger sister were disseminated. The journalists also published details about the victim's state of health. Besides the information disseminated being confidential *per se* according to the ECtHR caselaw, the local context should also be taken into account. The population of Kaharlyk is 13.5 thousand people, so the picture of the victim's place of residence and name is more than enough to identify her person.

In the piece by Vesti.ua, the authors disclosed the victim's age and name. Because of the child's name being unusual for her region of origin and the readers' ability to match the victim's name, age and fact of vacationing abroad, general information is enough to identify the child at least in the social circles with which she is in regular contact.

Similarly, the news piece about the events in Vradiyivka contains the victim's first and last names, information about her state of health, and a photo of her taken in the hospital ward. BBC News Ukrainian thus directly disclosed the victim's identity to the reader.

Therefore, in all these cases, the media disseminated confidential information enabling the audience to identify the persons referred to in the news pieces.

**2.** The very fact of disseminating confidential information does not automatically constitute a violation of the law. Such actions become illegal when the disclosure of the data was not permitted by the person referred to in the piece. In this regard, in [Axel Springer v Germany](#), the ECtHR emphasized that personal information is considered disseminated without a person's consent if it belongs to a category of data reasonably expected to be confidential [§83]. Also, in [Söderman v Sweden](#), such a prohibition includes the filming/photographing of an individual without their consent [§105]. Also, the ECtHR has consistently emphasized that photographs disseminated for the purpose of publishing "*sensational*" stories are typically aimed at satisfying public curiosity regarding very private details of human life, and are therefore often obtained in a situation of constant pushiness on the part of the media, which may result in a person's feeling of an invasion in privacy or even persecution [see [Von Hannover v Germany](#), §59; [Société Prisma Presse v France \(no.1\)](#)]. Obtaining pictures of a person's private life through fraudulent or clandestine operations is just as unacceptable and cannot be justified by the person's public status or functions (see [Couderc and Hachette Filipacchi Associés v France](#), §123). Furthermore, in [MGN Ltd. v the United Kingdom](#), the ECtHR explicitly stated that disseminating illustrative material "*to ensure the credibility of the history*" is not necessary, especially when public curiosity

is already satisfied by the publishing of the main facts in the text version [§151]. In the same regard, in paragraph 2.3. of the [Recommendations for the media on the protection of the right to privacy](#), it is stated that "*special efforts should be made to protect the people going through suffering, grieving or shock, both with regard to them and their family members and relatives*". According to the [position](#) of Commission on Journalistic Ethics (hereinafter - CJE), this principle deserves special attention in cases of disseminating photos of victims immediately after an accident, incident, crime, etc.

In the case regarding the events in Kaharlyk, according to the victim's lawyer, there was no agreement about disseminating the victim's name or age or disclosing her medical data or marital status details. The journalists also violated the victim's parents' explicit prohibition on filming by disseminating the story containing video footage and a brief comment on the refusal to give an interview, obtained as a result of covert filming of these persons. Not only did such actions result in disclosing the woman's parents' identity, which makes it possible to identify the victim, they also most likely increased the already significant psychological pressure on the woman's family. Therefore, such actions by the media invaded the privacy of the persons referred to in the story, which was not necessary to satisfy public curiosity in conveying information about the crime, because it was enough to disseminate the story without showing the faces of the victim and her family.

In the story by Vesti.ua, the child's name, age and medical data were similarly disclosed. At the same time, the piece does not mention the victim's mother's explicit consent to disseminating such information, or provide an interview with her, which could indirectly imply consent to publication. The story only cites the words of a law enforcement officer, who in no way had the right to dispose of the victims' confidential information and therefore could not consent to its dissemination.

Unlike the previous two cases, in the case of Vradiyivka, the journalists obtained the victim's explicit consent to disclose her name and medical diagnosis. However, the Independent Media Council believes that disseminating the photo taken in the hospital ward was unnecessary, as such information could have caused additional suffering for the victim and also for her relatives and friends. At the same time, a detailed description of the events surrounding the crime in text form is enough to satisfy public curiosity without publishing the picture. Therefore, invasion of privacy in this case was excessive.

**3.** According to [Yordanova and Toshev v Bulgaria](#), the text worded in such a way as to attract the attention to the news, captions in capital letters or other means designed to increase the readership is not a violation of journalistic standards [§52]. However, in such cases, the main thing is what the media aims at when broadcasting the news. For example, if the aim is to "satisfy the prurient curiosity of a particular readership and boost the commercial interests" of the media, such articles cannot be deemed to contribute to any debate of general interest to society (see [Biruik v Lithuania](#), §42). Specifically, CJE has consistently [emphasized](#) that when reporting on crime, the focus should be shifted from discussing the identity of the victims to the actions of the criminals, as that is the subject of public debate. If these standards are not met, a story is turned into so-called [clickbait](#), i.e. headlines or related content, the purpose of which is to attract the users' attention in ways that often harm the news content.

In the news story by Vesti.ua, the headline indicates a crime committed against a five-year-old Ukrainian girl at a foreign resort, while the story itself emphasizes that rape is only one version of what transpired. At the same time, the news is accompanied by the conspicuous hashtags that make it possible to artificially expand such articles' readership (the readers search for information using the hashtag "#vacations in Egypt" and come across a rape story). Such tags also often contribute to spreading xenophobia and negative attitudes toward other countries, which due to ingrained stereotypes, the audience tends to label as "foreign" or "backward", which will further stigmatize foreigners who could be identified as residents of such countries. Ingrained bias

and discrimination become apparent, as the probability of coming across a rape story in the French capital under the hashtag "#weekend in Paris" is much lower, because in the distorted public consciousness, such "terrible cases" can only occur in "bad" countries).

4. According to [Mosley v the United Kingdom](#), the right to privacy does not imply a pre-notification requirement for the media or approval of the news story with the person referred to in it [§132]. However, this does not release the media from the obligation to adhere to standards when covering particularly sensitive topics. According to the [Media Guide for Reporting on Gender-Based Violence in Ukraine](#), it will be ethical to show the final edited version of your piece to those involved in your piece, as well as to respect the refusal to publication at any stage. Also, even when the media disseminates information in the public interest, the media story should be limited to disseminating information directly relating to the public interest (see [Ruusunen v Finland](#), §§ 51-52).

Besides reporting on the fact of committing a crime and choosing a restrictive measure against the suspects, the story about the situation in Kaharlyk contains information about the victim's relatives, child and the younger sister. Also, much of the story is devoted to making judgments on the victim's characteristics as a mother and the quality of her child's upbringing. Despite the fact that the media justifies such a shift of emphasis by aiming to protect the woman - "*so that she does not appear as a dishonorable person*", the Independent Media Council thinks it unacceptable to make judgements about the victim's personal characteristics or provide any other information that has nothing to do with the crime. Specifically, the victim's personality should not be seen as potential grounds or justification for crimes committed in any form, and the media should not look for reasons for the crime in the victim's behavior. The standards for reporting on gender-based violence are discussed in more detail by the Independent Media Council in section "C" of this Opinion.

#### ***B. Stories involving children: vocal not silent***

5. In paragraph 15, of the recommendation [On How To Cover Crime](#), the Independent Media Council states that, even with parental consent to disseminate information about minors, the newsroom should consider whether such disclosure is contrary to the best interests of the child. Because parents can harm the interests of their children by giving their consent *while in a state of shock, neglecting their responsibilities toward their children or ignoring the specifics of the information environment*". Also, paragraph 2 of point 15 of the recommendation explicitly prohibits the disclosure of the names of minors under all circumstances. Similarly, the Ethics Code of Ukrainian Journalists unequivocally prohibits the disclosure of the name of a child involved in illegal activities, or any other information helping to identify a minor. Besides, in [Aleksey Ovchinnikov v Russia](#), the repeated naming in the press led to harming the minor's moral and psychological development. The ECtHR noted that although that information was previously published by other newspapers and the journalist made a proper reference to an authentic source, the civil liability imposed on the journalist was justified [§51-52]. The TSN program broadcast an interview with the victim's minor sister without her parents' consent (it is noted that any relatives were absent at the time of the girl's interview by the TV crew). Besides, the media provided lots of data about the victim's minor child, giving her approximate age (reporting on her attending the kindergarten), therefore establishing a link between the rape story and the child not involved in the crime in any capacity from the legal point of view.

Similarly, the Vesti.ua news piece discloses the victim's name, age and medical data, despite such actions being completely prohibited in journalistic work, both by international standards and through the prism of national standards.

6. Importantly, the fact of such stories being re-published many times by other media should also be taken into consideration. It has specifically to do with the media's potential responsibility for disseminating personal data



of minors, despite the fact that such information has already been made public or been publicly available for a long time. Thus, back in 2005 in [Douglas v Hello!](#), a British court of appeal noted that the publication of certain types of personal data will be a permanent violation of the right to privacy: there will be a fresh intrusion of privacy when each additional viewer sees the photograph, regardless of whether the data has been publicly available for a long time. A similar rule applies to cases where the media publish information about minors in the context of a crime. However, the media's distancing itself from the contents of the authentic publication or condemning the violations committed by the original source while reporting the data should not affect such media's secondary liability. Otherwise, there is a risk of publishing personal data through anonymous sources (such as [Telegram channels](#)) and further dissemination of such information by the "law-abiding" media having large audiences without bearing any responsibility for privacy violations.

### ***C. Reporting on gender-based violence: avoiding victim blaming***

7. The Independent Media Council cannot stay away from the issue of inadequate coverage of gender-based violence. Publishing such materials may cause additional suffering to victims and their relatives, as well as directly attack their human dignity and reputation if stories are misreported. Therefore, prior to publication, the media should establish whether the public interest in such information justifies its dissemination, or whether the information should not be disclosed at all. In the case of information relating to crimes, the ECtHR considers it an invasion of privacy even to disseminate data about the offender's identity contained in police orders (see [Mikolajova v Slovakia](#), §44), without seeing this as a contribution to public debate. The stories about victims are even more sensitive and the arguments in favor of publishing any information about such persons should be very well-founded.

Such stories should also be balanced and neutral. They should not justify or tolerate acts of violence, neither do they have to look for deliberately absurd reasons why this could have happened to the victim. The victim should be [treated](#) with respect, given the right to postpone interviews due to a state of shock, refuse to give an interview or answer specific questions, etc. The person should not be blamed for such a refusal and it should not be grounds for harassment of the victim on the part of the media. The media should also not resort to [victim blaming](#), the phenomenon of holding a person at least partially responsible for what happened to them because of their behavior. This phenomenon is common mainly among women and [finds expression](#) in analyzing the victim's sexual orientation, looks, location or time of day, makeup, alcohol consumption and more. In this way, the media often try to shift the blame for the crime onto the victim's behavior and label her as "provoking" the crime, which is completely unacceptable in a civilized society. At the same time, it is important to understand that information about the crime scene without holding the victim responsible for being in such a place at a certain time is not victim blaming. This category does not also include information about the victim's looks in the case of serial crimes against persons with similar traits (i.e. in the case of providing a [victimological](#) analysis of the crime, not just describing the victim).

8. It is important to remember that victim blaming may result in the victim's being afraid to report violence against them because of the possibility of falling victim to dishonest media. Specifically, the ECtHR [has consistently emphasized](#) that victims have a psychological barrier due to fear of repeated violence or distrust on the part of the authorities and society about the trustworthiness of crime reports. This, in turn [leads](#) to violations being sustained by a culture of silence and denial of the seriousness of the problem. Therefore, the media should report on cases of gender-based violence very cautiously and responsibly, keeping in mind all possible risks not only for the general audience, but for the person referred to in the story in the first place. In this connection, the [Media Guide for Reporting on Gender-Based Violence in Ukraine](#) can be useful. It contains a list of questions about the stories' appropriateness, a procedure for obtaining information, content and form

of publications, emphasizing the peculiarities of working with victims of gender-based violence. When covering such topics, journalists should always indicate in the piece where the victims finding themselves in a similar situation can ask for help – police numbers, national hotlines, regional service centers dealing with these issues in the region embraced by the media, etc.

#### IV. CONCLUSIONS

**The Independent Media Council believes that:**

1. In the piece aired during the “TSN” program, there is a violation of Part 5 of Article 296 of the Civil Code of Ukraine, Part 2 of Article 11 of the law of Ukraine On Information, Part 2 of Article 6 and Paragraph "I" of Part 1 of Article 59 of the Law of Ukraine On Television and Radio Broadcasting, as well as Principles 3, 13, 18 of the Ethics Code of Ukrainian Journalists.
2. Vesti.ua violates Part 5 of Article 296 of the Civil Code of Ukraine, Part 2 of Article 11 of the law of Ukraine On Information and Principles 3 and 18 of the Ethics Code of Ukrainian Journalists.
3. BBC News Ukrainian violates Principle 3 of the Ethics Code of Ukrainian Journalists.

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Votes:                    “*In favor*”   — 8  
                               “*Against*”   — 0  
                               “*Abstained*” — 0

Chairman of the Independent Media Council	A. Cherevko
Secretary of the Independent Media Council	O. Holub
Secretary of the Independent Media Council	P. Moiseyev