# Guidance for WHO photographers and film crews on obtaining consent

## Scope and purpose of this guidance

This document provides guidance for WHO photographers and film crews on taking images for the Organization and on obtaining appropriate consent for photographs, videos and interviews. It articulates the Organization’s principles on these subjects, and is intended to serve as a reference document.

## Consent

This guidance is based on European Union laws on personality rights, which are strict. Photographers and film crews should, however, be aware that the laws on privacy vary from country to country, and should always comply with local laws and customs.

1. WHO requires its photographers and film crews to obtain informed written or videotaped consent of individuals to be photographed or filmed whenever this is considered necessary (see Table 1). Informed consent means that the individual understands and agrees with the taking of the photograph or video, as well as with its purpose and the planned use (including its publication). The consent must be obtained in circumstances that ensure that the individual is not coerced in any way. Photographs or film footage depicting recognizable individuals for which consent has not been obtained may not be used by WHO.
2. Consent forms should be filled out and signed (or verbal consent recorded) when photographing or filming any subjects. If a child or adolescent (below the legal age of consent in the country concerned) is photographed or filmed, then written or videotaped verbal consent should be obtained from the parent(s) or guardian(s).
3. The standard WHO photograph consent form should be used, which is available in Arabic, Chinese, English, French, Russian and Spanish. If the intention is to take photographs or videos in a country where none of the WHO official languages are spoken, consent forms should be prepared ahead of time in the local language of the area to be visited. Alternatively, if the photographer or film crew will be travelling with someone who speaks the local language, that person should be asked to translate the request for consent.
4. If it is not possible to obtain written consent, for example when a person speaks a different language, or is illiterate, then the photographer, film crew or interpreter should explain the consent required and record the person’s verbal agreement on video.

### Table 1. Consent and permission requirements in connection with photographs and videos

|  |  |
| --- | --- |
| **Consent not required**  | **Written consent or recorded verbal consent requireda** |
| **General** | **General**  | **Particular care required**  | **Extreme care required**  |
| Non-recognizable individuals in public (faces and all other identifying features are obscured), except as otherwise provided in this table Public figures/personalities in public (e.g. celebrities, politicians, business leaders) Speakers at the World Health Assembly or at public meetings or conferences Crowds in public not depicting identifiable individuals (e.g. an audience at an outdoor concert)  | All recognizable individuals, in all settings, where there is or may be an expectation of privacy | Images of children and adolescents (consent is required from the parent(s) or guardian(s)) Recognizable individuals in any setting where **personal, private or clinical information** is exposed in the photograph or film or documented in the corresponding text (e.g. patients or health workers)If photographs or videos are to be taken in a building or facility that is not open to the public (e.g. a hospital, a health centre or a school), written permission is required from the owner, director or manager in order to access the building and take the photographs or film  | Images of persons whose clinical status or social situation may carry a stigma (e.g. people with HIV/AIDS or sexually transmitted infections, a history of pregnancy termination, or tuberculosis; sex workers; people with different sexual orientation or a history of alcohol and drug use; victims of gender-based violence; and persons engaged in the use of illegal drugs or other illegal activities)  |

aIn exceptional cases where WHO is reporting on emergencies where the timeframe of events would not have permitted the photographer to obtain consent for the right of personal portrayal, and the depiction of a person is justified, photographs may be used without written or videotaped consent. The use of such photographs is **strictly** limited to reporting on the emergency within the timeframe of the event. Advice should be sought from the Office of the Legal Counsel (LEG) in such cases.

## Planning assignments

When planning an assignment in a country, it is recommended that WHO photographers or film crews involve the relevant country office. Country offices can assist in organizing the visit and arranging access to health care and other facilities. They can also assist with translation of the consent form into the local language(s), and may be able to provide a staff member to accompany the photographer or film crew.

In clinical contexts, the permission of the director of the hospital or health centre is required before health workers or patients are photographed or filmed (see Table 1). In addition, informed consent must be obtained from any health workers and patients who are to be photographed or filmed. In the case of minors, informed consent must be obtained from the parent(s) or legal guardian(s) (see section V).

## Obtaining consent from individuals

### General principles

Consent must be obtained in a language understood by the subject, preferably the subject’s native language. Local interpreters should be used where necessary.

Photographers and film crews must comply with local laws, traditions or restrictions in taking photographs or videos. Where possible, they should learn about the cultural views and levels of acceptability towards photography and filming and the issues to be documented ahead of time. In some cultures, family consent is required.

Photographers and film crews should not offer or promise to offer payments or any other form of compensation in exchange for participation or consent.

### Practical guidance

Ideally, the photographer or film crew should be accompanied by a producer (a staff member from the country office or ministry of health, an interpreter or another local representative), who can obtain consent from the subjects concerned before or after the photographer or film crew has taken the photographs or videos.

Photographers and film crews should establish a relationship before starting to take photographs or videos. They should introduce themselves, be courteous, and explain the purpose of their visit and the reason why they want to take the photographs or videos. For example:

“I am taking photographs/filming for the World Health Organization (WHO) and I would like to take a photograph of you for use in conjunction with WHO’s work on [*insert details of project*]*.* Can you confirm that you agree for me to take your photograph/film you?”

If photographers or film crews sense any reluctance, confusion, fear or anger, they should refrain from taking the photographs or videos.

Once the photographer or film crew has taken the photographs or completed the filming of the subject, the producer should ask the subject to provide written consent. The subject’s full name (and any informal name(s) used by the person) should be noted on the consent form. The producer should explain the consent form to the subject before he or she signs it. The producer should also add a description of the subject and/or context to the consent form in order to link it to the photographs or videos taken (e.g. “Girl in the red dress”, TB patient in ward number… ”).

If the subject refuses to sign the consent form, the photographs or videos must be deleted.

## Special categories

### Photographing or filming vulnerable individuals

When taking photographs or videos of persons whose clinical status or social situation may carry a stigma (see Table 1), and more generally persons at risk of reprisal, violence or rejection in their communities if their identity or personal information about them is exposed, photographers and film crews must avoid revealing the identity of subjects. Any information collected concerning the identity of vulnerable individuals should be treated as confidential. Special care must be taken during times of crisis, to avoid exploiting an individual’s vulnerability when he or she is suffering from trauma or grief.

### Composing photographs or videos so that subjects cannot be identified

In the above cases, photographs or videos must be composed in such a way that subjects cannot be identified whenever possible. For example, photographs of health workers attending to patients or persons engaged in the use of illegal drugs or other illegal activities should be taken from an angle in which neither the face nor any other unique characteristics of the patients can be seen. Likewise, photographs can be taken from behind subjects to illustrate what they are doing, but without revealing their identity.

### Photographing or filming children and adolescents

All efforts should be made to photograph or film children in an age-appropriate and culturally sensitive manner. The best interest of the child must always be paramount, including over advocacy for children’s issues and the promotion of child rights.

Before photographing or filming a child below the legal age of consent in the country concerned, written or videotaped verbal consent should be obtained from the parent(s) or guardian(s) (see section II).

Before photographing or filming a child, the purpose of the photograph or video and how it will be used should also be explained to the child, as well as to his or her parent(s) or guardian(s). To the extent possible, children must participate in decisions affecting them.

Attention should be paid to where and how children are photographed or filmed. They should always be adequately clothed and not in poses that could be seen as sexually suggestive. Care should be taken to ensure children’s comfort and consider the effects of surroundings on the child during the photographing or filming.

### Photographing or filming groups

In the case of family groups and small groups, consent is also required from each subject to be photographed or filmed. One possible approach is for the photographer or film crew to record the consent of the group members on video (e.g. group members give the “thumbs up”). Alternatively, written consent could be obtained by asking the group members to add their names to and sign a single consent form.

Consent is not required when individuals have anonymity because they are part of a large group or crowd, and are not the focus of the photograph or video.

## Technical specifications for WHO photographs

Digital images should be provided in jpeg format. Images should be of high resolution (at least 300 dpi at A4 size).

Metadata must be provided with each image, so that WHO can ensure that the photographs are used in the correct context (see Table 2). A spreadsheet should be provided for this purpose.

**Table 2. Technical specifications for WHO photographs**

| **Metadata item** | **Example** |
| --- | --- |
| Photographer’s name | WHO/Winnie Romeril |
| Date of exposure | 14/11/2014 |
| Title of project  | Ebola outbreak in Sierra Leone |
| Caption | Ebola response in Koinadugu District, Sierra Leone |
| Location: country, city and building (if latter is known) | Sierra Leone, Koinadugu District, WHO Country Office |
| Reason for the photograph shoot and any contextual information specific to the individual photograph | Specific to each project  |
| Type of consent obtained (written or videotaped) | Written consent |
| Name(s) of depicted person(s) (and age(s), if child(ren))  | Dr John Smith, WHO |
| Any applicable restrictions  | None |
| File name of photograph | Romeril\_12345.jpg |

Captions or information for captions should preferably be embedded in the photograph in accordance with International Press Telecommunications Council (IPTC) standards (<https://iptc.org/standards/photo-metadata/> ). If this is not possible, the information should be provided in a Microsoft Word document.

When delivering photographs or videos to WHO, photographers or film crews must indicate in the metadata of each photograph or video whether the photograph or video is for “restricted distribution” due to the sensitive nature of the subject matter (individuals or groups who may be at risk of reprisal, violence or rejection in their communities as a result of the publication of the photograph or video), so that WHO can ensure that any visual identities are obscured and that personal information is not revealed in any subsequent use of the photographs or videos.

The original signed consent forms or the video tape of the verbal consent should be provided along with the photographs or videos. Consent forms must be clearly and explicitly linked to the images that depict the subject(s) concerned. This can be achieved by naming the files in the same way or by saving the files in one folder.

Photographs should be safely and securely transferred to the database at WHO headquarters in Geneva. They may be uploaded directly at <http://intranet.who.int/tools/photolibrary> or emailed to WHO (photolibrary@who.int) by FTP or copied on CD-ROM, DVD or a USB key and delivered via secure pouch.

## Acknowledgement of photographers

WHO will acknowledge photographers in the following manner:

“© WHO/[name of photographer]”.