

Joint Agreement Act № 1

Protection of a child, who has suffered from sexual violence, within his/her involvement into media production

The City of Kyiv

4 November 2016

We, undersigned plenipotentiary representatives of the media industry, referring to the provisions of the fundamental documents in the area of children's rights protection in Ukraine:

the Constitution of Ukraine,
the UN Convention on the Rights of the Child, ratified by Ukraine in February 1991 (entered into force in September 1991), and the elaborated and approved thereof Law of Ukraine "On Protection of Childhood"

Directive 2010/13/EU on Audiovisual Media Services of 10 March 2010 (Articles 12 and 27),
the Law of Ukraine "On Television and Radio Broadcasting" (Articles 6, 28, 62),
other legislative and regulatory acts that guarantee respecting the children's rights,
the advisory assistance of experts, psychologists and civil society,

have concluded the following:

1. Coverage of the issue of sexual violence against children, as one that is of topicality for the society, is possible and necessary to enhance all social forces in order to prevent cases of children abuse and to guarantee the rights of the child and the inevitability of punishment for the violation of the children's rights.
2. Involvement of an individual child, who has suffered from sexual violation, into media production is possible only subject to protection of the interests of this particular child:
 - 2.1. in a case, when child's protection requires public intervention to provide a child and the family with information, organizational and other kinds of assistance;
 - 2.2. subject to the absence of the risk of secondary psychological trauma of a child (based on the written opinion of a psychologist or medical psychologist who assesses the psychological state of a child) within his/her involvement into media production and timely provision of professional psychological assistance and ongoing psychological support during the shooting process and within a reasonable period after its completion according to the opinion of a psychologist;
 - 2.3. after obtaining a voluntary informed consent for a certain participation of a child in media production from a child, parents or persons who replace them, except when the purpose of media production is to reveal violations of the child rights by legal representatives; a consent of parents or persons who replace them is no defence for media producers to respect the children's rights under the law, as well as to provide their professional activities in a way that does not impair child's health, development and psychological well-being.
 - 2.4. subject to application of such methods of displaying a child in general or any related certain case in particular, which prevent identification of a child by general public, in order to preserve privacy and prevent the risk of stigmatization and negative impact of social environment on the further development of a child, who has suffered from sexual

violence, notably: not to call the name of a child; not to show his/her face - in photos or videos, as well as any identification parts of his/her face (such as eyes or ears); not to disclose the name of the locality (except of million cites) by generalizing to larger regional scales.

- 2.5. if it is of necessity to report a missing child, including in news items, and to identify a child for the purpose of tracing, any information related to sexual context of a crime is not allowed.
3. Media industry is interested in the further researches related to the protection of children, who have suffered from sexual violence, with due consideration of current social conditions in Ukraine and elaboration of appropriate detailed guidelines to be used by editorial boards and employees of broadcasting companies in case of children involvement into media production.
4. The Work Group on elaboration of rules of children protection in the media will continue consider cases of children involvement into media production in order to discuss and agree on the further joint decisions.

**On behalf of
“1+1 Media”**

(Signed)

**On behalf of
“Ukraina Media Group”**

(Signed)

**On behalf of
“StarLightMedia”**

(Signed)

**On behalf of
the National Television Company of Ukraine**

(Signed)

**On behalf of
the Independent Association of Television
and Radio Broadcasters of Ukraine**

(Signed)