

The Civil Commission's Code of Ethics and Practice

Introduction

The Civil Commission on October 7th Crimes Against Women and Children (hereinafter: "**the Commission**") is an independent, non-governmental organization. It was founded to document, research and raise international awareness of the war crimes and gender-based violence committed by Hamas and their collaborators against women, children and families during their brutal attack on Israel on October 7th. Led by Dr. Cochav Elkayam-Levy, a 2024 Israel Prize laureate and expert in human rights and international law, the Commission documents, researches, and advocates for victims, giving them a voice and challenging the denial of these atrocities. Its archive serves both as a memorial and a vital historical record.

With a team of experts, including researchers, lawyers, forensic specialists, and trauma experts and supported by leaders like Sheryl Sandberg and Prof. Irwin Cotler, and other prominent figures on our advisory board, the Commission is raising international awareness and forging global partnerships to highlight these atrocities and pursue justice for the victims.

Overview

The Civil Commission has adopted two foundational frameworks to guide its operations: the **Code of Ethics** and the **Code of Practice**. Together, these frameworks establish the Commission's commitment to the highest standards of ethical, professional, and legal conduct in its work documenting, preserving, and advocating for the victims of the atrocities committed on October 7th, 2023.

- **The Code of Ethics** outlines the core principles and values that underpin the Commission's approach. It emphasizes the protection of victims' dignity, privacy, and security, and is rooted in a "Do No Harm" philosophy. It provides detailed ethical guidelines for interacting with survivors and witnesses, with a focus on trauma-informed documentation, respect, integrity, and the avoidance of re-traumatization.
- **The Code of Practice** sets forth practical and procedural standards for the management, storage, and use of the materials collected. It covers digital archiving, authentication, data protection, consent protocols, the handling of testimonies and access to the Commission's archives for research and legal purposes. It ensures that the documentation process meets international legal, technological, and ethical standards, with special attention to the needs of vulnerable populations.

Both documents are designed to work together: the **Code of Ethics** governs the **values and victim-centered approach**, while the **Code of Practice** ensures **professional execution and operational integrity** in every aspect of the Commission's work. This dual structure ensures that the Civil Commission remains steadfast in its mission to honor and protect the survivors, preserve historical memory, and pursue justice.

The code was drafted by Adv. Irit Gazit and by the leading team of the Commission: Dr. Cochav Elkayam-Levy, Adv. Merav Israeli-Amarant, Adv. Elinor Kroitoru.

The ethical code of the Commission is based on the foundational framework and methodology developed by Dr. Elkayam-Levy, in close consultation with leading academic experts in international law, trauma, war crimes documentation and documentation ethics over several months. This original methodology—unique to the Civil Commission—was designed to combine trauma-informed care with legal rigor, ensuring that testimony collection serves both as a resource for future academic and legal accountability, and as a victim-centered, restorative process for those giving testimony.

The Commission's methodology is uniquely designed to serve two interwoven goals:

1. To establish a secure and legally structured archive, designed for advanced research and analysis, that would preserve the testimonies in a format that meets rigorous academic and legal standards—ensuring these voices can contribute to future research and promote legal accountability for the atrocities committed by Hamas and other actors on and after October 7, 2023.
2. To ensure trauma-informed, victim-centered documentation that recognizes the emotional and psychological impact of testimony-giving and implements protective measures throughout the process. Testifiers are given full agency, including for example, through full informed consent, the option to remain anonymous or choose confidentiality periods, and testimonies are conducted in audio or video format according to their preference. Testimonies are collected in the testifier's native language to preserve their authenticity and emotional accuracy. Testimonies are collected through in-depth, semi-structured narrative testimonies, conducted by experts in trauma and legal documentation, with a testimony model that supports both open expression and thematic consistency.

This methodology reflects the Commission's commitment to preserving the historical truth, amplifying the voices of survivors and victims, and promoting justice and accountability through ethical, rigorous, and survivor-centered practices.

The ethical framework was reviewed and approved by an independent academic committee established specifically for this purpose, composed of:

Prof. Barak Medina. Landecker-Ferencz chair in the study of Protection of Minorities and Vulnerable Groups at the faculty of law of the Hebrew University of Jerusalem former Dean of the Law Faculty and Rector (Provost) of the Hebrew University.

Prof. Yuval Shany Hersch Lauterpacht Chair in International Law and former Dean of the Law Faculty of the Hebrew University

Dr. Tehilla Schwartz Altshuler, Senior Fellow at the Israel Democracy Institute,

Prof. Ruth Pat-Horenczyk, the School of Social Work and Social Welfare at the Hebrew University of Jerusalem

Prof. Michelle Greenberg-Kobrin, Director of the Filmmakers Legal Clinic, Cardozo School of Law

Dr. Haim Gertner, Director of the Resource and Partnership Development Division, Yad Vashem, former Director of the Yad Vashem Archives and Fred Hillman Chair for Holocaust Documentation

Maya Gan-Zvi - Project Leader - National Library of Israel

Special thanks to Sharon Rapaport for her invaluable contribution to the development of the ethical code and documentation process. Her sensitive work with victims and her deep expertise in trauma have shaped every stage of this effort. Sharon's presence, professionalism, and compassion have made all the difference in ensuring that our work remains grounded in care, dignity, and respect for those who have entrusted us with their stories.

1. Code of Ethics

The Commission's **Code of Ethics** is a voluntary code, aligned with established international standards for the ethical and secure collection and use of information and testimonies on crimes committed by Hamas against women, children, and families during and after the events of October 7th, 2023. The Code applies to all of the Commission's work and its respective units, including the documentation and archiving system.

The Code is grounded in international norms and standards and aims to the basic human rights of victims, including the rights to dignity, privacy, security and access to justice, among others. As such, the Code reflects global standards designed to create a victims-centered approach focused on victims, their families, eyewitnesses, and first responders (hereinafter: **the testifiers**). The Code draws from established frameworks such as the "Murad Code" (the Global Code of Conduct for Gathering and Using Information about Systematic and Conflict-Related Sexual Violence) and the Guidelines for Civil Society Organizations on Documenting International Crimes and Human Rights Violations for Criminal Accountability Purposes, published by Eurojust and the International Criminal Court.

Do No Harm

First and foremost, the Commission strives to adhere to the overarching principle of "Do no harm," which mandates that every effort be made to prevent or minimize any unintended negative impact that documentation may have on others or those conducting the documentation. Therefore, we will strive to act in the best interests of the individuals providing the information, the intermediaries, the local communities, and any other persons involved in the documentation process.

We will prioritize their safety, physical and psychological well-being, and privacy throughout the process. The primary concern is the risk of re-traumatization (i.e., a reliving of the trauma) for the testifiers.

The documenters will therefore be required to undergo specialized training for this type of documentation. It is also crucial to take into account the fact that we are still in a period of ongoing war, with many of the target population trapped in cycles of trauma at the collective, community, and/or personal level.

Documenting a traumatized individual may inflict further psychological harm on them; therefore, we will carefully select documenters with appropriate training or provide comprehensive training that includes guidelines for trauma-informed documentation and appropriate coping mechanisms.

Restorative narratives

The events of October 7th created a profound personal and narrative rupture for many victims, dividing their lived experiences into their world "before" and their world "after." Providing testimony offers testifiers a personal platform to recount the events they experienced in their own words. It serves as part of their rehabilitation and healing process, allowing them to process their memories and weave them into a cohesive narrative that bridges the fracture between the "before" and "after." It also helps them restore, even in a small way, a sense of control over their story and their lives. They receive a form of validation and personal and social

recognition of their feelings, experiences, and trauma. Moreover, in line with the principles of *narrative therapy* — which focuses on the story one tells about oneself to oneself and others — healing from trauma can occur through the act of sharing experiences with someone who is perceived as capable of understanding.

The Commission staff and documenters

At the same time, we are aware of the potential emotional toll on the Commission staff and documenters due to their exposure to distressing material, which can lead to secondary trauma and compassion fatigue. To address this, we will ensure that they receive appropriate emotional support and professional guidance.

Recognizing the challenges posed by prolonged exposure to distressing content, we have developed practices to mitigate its effects. These include limiting the hours of exposure, viewing the content in pairs, restricting content viewing mainly to morning working hours within the Commission's offices, and other supportive practices.

Digital Information

The digital information received (photos, videos, social media posts, media files, or emails) will be saved and cataloged with utmost care, minimizing any alterations to the original digital data. We will ensure that all relevant information is preserved.

All documentation will be stored on secure systems, protected and backed up, in organized folders to ensure easy retrieval.

We are committed to relying only on credible information, which we do by adhering to strict and consistent verification procedures. These include cross-checking data, review by multiple independent parties, elimination, ruling out alternative scenarios, and consultation with experts from the fields of artificial intelligence, forensics, data analysis, audio analysis, and more.¹

Respect and integrity

- 1.1 **Respect:** We will treat the testifiers with respect, humanity, kindness, appreciation, and as individuals who are entitled to make their own choices and decisions.
- 1.2 **Avoiding stigmatization:** We will acknowledge the limitations of our own understanding of the perspectives and experiences of the testifiers. This includes our own biases, fears, trauma, triggers, stances, prejudices, and assumptions about violence, sexual violence, and survivors. We will ensure that our tone, words, body language, or any other actions do not convey blame, shame, disrespect, judgment, condescension, belittlement, or scorn. Furthermore, we will not present or disclose any information that could harm or stigmatize them in any way.

e.g. Berkeley Protocol on Digital Open Source Investigations (2022), https://www.ohchr.org/sites/default/files/2024-01/OHCHR_BerkeleyProtocol.pdf

- 1.3 **Accuracy:** All information received and collected will be presented faithfully, honoring the person providing it without misrepresentation or presumptions.
- 1.4 **Avoiding exploitation:** We will not exploit the testifiers; there will be no exploitative, offensive, or intrusive use of them or their information. We will actively take steps to prevent and address any form of re-traumatization, sexual exploitation, or abuse.
- 1.5 **Trustworthiness:** We will avoid making promises that we cannot keep, acknowledging that breaches of trust — such as violations of privacy or confidentiality — can have serious repercussions on the mental health and well-being of the testifiers. Such breaches may diminish their trust in others and create barriers to receiving support.
- 1.6 **Prevention of damage to potential physical evidence:** Every effort will be made to maintain the integrity and preservation of these materials.
- 1.7 **Responsibility:** We will operate with full transparency and uphold the commitments outlined in this Code. We recognize the potential harm that may be caused to the testifiers, their families, and their communities if we fail to meet these obligations. We remain open to feedback to continuously improve our work.
- 1.8 **Vulnerable populations — including minors, people with disabilities, the elderly, and those in trauma situations:** As a guiding principle, we recognize the victims' right to participate in the documentation efforts, but we will do our best to take extra care regarding the involvement of individuals from vulnerable populations to fulfill the mandate given to the Commission.

Testifiers' autonomy

- 2.1 **The conditions in which the testimony is conducted:** We will tailor the testimony conditions, to the best of our ability and means, to meet the specific needs and preferences of testifiers. This includes respecting their preferences regarding the composition of the team, the gender of the documenters, the need for an interpreter, and the presence of another person accompanying them, among other things. We will not make assumptions about their preferences in advance and will ensure that their right to choose is upheld at all times.
- 2.2 **Awareness:** We will be mindful and considerate of any limitations and/or unique factors related to the testifier's gender, age, culture, societal background, traditions, community, and more.
- 2.3 **Alignment of expectations:** We will align expectations with the testifiers prior to the testimony in order to outline its purpose (whether for historical documentation, academic research, or, if possible and necessary, as evidence for legal proceedings, such as local and international tribunals).
- 2.4 **The documenter:** Our team is composed of documenters with therapeutic backgrounds and expertise in trauma, legal professionals with specialized experience in victim representation, and experts in war

crimes documentation with relevant experience. All documenters are trained in trauma-informed documentation and are equipped to minimize the risk of re-traumatization for testifiers. Minors and people with disabilities will be interviewed by a specialized documenter with relevant experience.

- 2.4 **Language:** Testifiers will be encouraged to use their own language and describe the events as they choose, free from judgment and with minimal interference.
- 2.5 **Consent of the testifiers:** We will respect the testifiers' right to stipulate conditions for the delivery of their testimonies or to withdraw their consent to give their testimony and/or to have the testimony and its content used, even after the testimony has been provided. When legally required, we will ensure to obtain consent from the testifier's guardian and/or the assistance of a decision-making supporter.

Preparation and infrastructure:

- 3.1 **Advance planning and organizational infrastructure:** The Commission maintains a comprehensive and professional organizational infrastructure. Before any testimonies are collected, we conduct thorough planning and risk assessments. We ensure that the necessary knowledge, capacity, staff, policies, and procedures are in place before we begin collecting information or initiating any contact with the testifiers. This preliminary preparation is critical in respecting the rights of the testifiers and for obtaining ethical and effective results.
- 3.2 **Flexibility for testifiers' choices:** We have developed a methodology and team committed to being as flexible as possible to support the testifiers' preferences regarding the delivery of their testimony, including how, where, and with whom (gender, age, affiliation, etc.) they wish to communicate.
- 3.3 **Risk assessment and mitigation:** We will diligently identify and assess all potential risks to everyone involved, including the testifiers, their families, and their communities. We will not proceed if we cannot ensure the mitigation of these risks to the greatest extent possible. This risk assessment and the implementation of measures to reduce risks will govern every aspect of our work. We are committed to regularly reexamining and reevaluating our approach as necessary.
- 3.4 **Available support:** We will make every effort to locate appropriate support services for the testifiers, and in particular for the survivors among them, including medical care, psychosocial support, defense, and other legal services. We will refer the testifiers to these services as needed. If existing support services are insufficient or unavailable, we will ensure that our efforts are supported by the services of an appropriate organization. The commission has collaborated for this purpose with 'Amcha', an esteemed long-time member of the Israel Trauma Coalition, which specializes in the treatment of trauma and anxiety. If necessary, we will direct them to the helpline of Natal, the Israel Trauma and Resilience Center, which specializes in treating those suffering from war and terrorism-related post-trauma, and to the resilience centers and clinics providing psychological support to individuals affected by terrorism.

- 3.5 **Coordination and cooperation:** We recognize the importance of multi-sector coordination and cooperation to prevent further harm or re-traumatization of the testifiers. To this end, we will collaborate as much as possible with other relevant parties, including official bodies, civil society organizations, and community-based organizations, to seek ways to mitigate risks and ensure the well-being of the testifiers.
- 3.6 **Ongoing communication:** We recognize that maintaining contact between testifiers and documenters is critical for addressing any concerns that may arise for the testifier, handling the possibility of the withdrawal or renewal of consent to providing their testimony, and other related matters. We will strive to establish an efficient and secure method of communication with the testifiers. Should this not be feasible, we will explain the reasons to the testifiers. Additionally, for testifiers who are minors, we will take specific steps to ensure their well-being throughout the process.
- 3.7 **Briefing of staff and partners:** We will thoroughly brief and supervise our staff and those acting on our behalf (including our partners) regarding the preparations required to ensure safe, ethical, and efficient practices that meet with the standards outlined in this Code.

Contextual awareness

- 4.1 **Understanding the context:** We will ensure that our team conducts its work with a thorough understanding of the context in which the events that are the subject of the testimony took place, and of the testifier's immediate environment.
- 4.2 **Cultural understanding:** We will take into account relevant cultural and social norms, traditions, customs, and perspectives, as well as those related to minors providing testimony.
- 4.3 **Gender:** We will acknowledge gender-based dynamics, violence, and inequality, and understand how they contribute to the risk of re-victimization. We will also identify the barriers survivors face in accessing support and exercising other rights.
- 4.4 **Stigma towards testifiers:** We will identify and assess risks related to stigmas, and work to reduce misconceptions, assumptions, and harmful attitudes and behaviors, particularly toward survivors of sexual violence. Special care will be given to the treatment of testifiers who survived sexual violence or other forms of abuse.
- 4.6 **Personal and collective impact:** We will assess potential harm that testimonies may cause to individuals and groups, such as families and communities, and consider how such harm may be amplified by various forms of discrimination. Accordingly, we will make every effort to connect testifiers with appropriate resources, including psychosocial support, medical care, defense, and other legal services.
- 4.7 **Laws and legal practices:** We will clarify any relevant formal or informal laws and practices that may harm the testifiers, discriminate or perpetuate discrimination against them, incriminate them in connection to the events being documented, or prevent them from being recognized as survivors or

victims of a crime. Additionally, we will consider legal requirements that might obligate us to pass on information about the crimes to the authorities. We maintain cooperation with other research bodies and experts on the documentation of war crimes. We will discuss these legal issues with the testifiers before the testimony, allowing them to make informed decisions about whether and how to proceed.

- 4.8 **Appropriate communication and interaction:** We will strive to understand the significance and impact of all our forms of communication and interaction in the contexts of gender, age, disability, cultural sensitivity, and other factors. We will use non-harmful forms of communication that reflect the testifiers' moral values and respect their social norms and practices.

Maintaining a safe and respectful atmosphere

- 5.1 **Attentiveness and receptiveness:** We recognize that working with victims and survivors requires an open-minded, non-judgmental approach. We will listen without letting our reactions influence the course of the testimony, allowing testifiers full control over how they share their story.
- 5.2 **Adapting to time needs:** We will ensure that the testifiers are able to provide their testimony at their own pace and in their preferred manner. We recognize that the testimonies should not be rushed and/or prolonged to avoid causing additional stress or discomfort, especially for minors.
- 5.3 **Supportive environment:** We will create a supportive, physically and psychologically safe environment that is accessible and sensitive to gender, age, disability, and social and cultural contexts. This is a fundamental element in building a relationship of trust with the testifiers, enabling them to share their experiences and information.
- 5.4 **Privacy:** We are committed to conducting the testimonies in a private, discreet, accessible, and safe space for the testifiers, and to minimizing the risk of their being seen (including when arriving or leaving the location). We will uphold the testifiers' right to privacy both during the testimonies and before and after each meeting.
- 5.5 **Individuals present at the testimony:** We will strive to limit the number of people present during the testimony. We will discuss in advance with the testifiers who they would like to be present and who our team is comprised of. If we are unable to honor their preferences, such as the presence of a companion, guardian, or legal representative on their behalf, we will explain the reasons and respect their decision should they choose not to proceed with the testimony.
- 5.6 **Prioritizing safety and quality over quantity:** The physical and emotional well-being of the testifier is our highest priority, even if it compromises our documentation efforts. This includes limiting the number of testimonies and/or the collection of materials.
- 5.7 **Delay or partialness in the sharing of information:** We recognize and respect that the ability and decision of the testifiers to share information depends on trust, time, and healing, and therefore may occur gradually, in stages, and over multiple meetings. We recognize that inconsistencies in reports may

naturally arise due to factors like trauma, memory, stigma, fear, stress, culture, the framing of questions, interpretation, and the listener's perception of what was said. We will not make assumptions about truthfulness based on inconsistencies or delays.

Code of Practice

General Provisions

This **Code of Practice** is based on guidelines for creating and managing digital files and documents collected by the Commission during its operations. These materials form the foundation of a digital archive, subject to rigorous international technological, legal, and ethical standards. The archive will serve as a broad research repository for scholars from various disciplines in Israel and worldwide, recognizing the unprecedented severity and long-term impact of these crimes. This archive will be a key pillar in preserving the historical memory of the events and combating their denial.

The **Code of Practice** reflects international ethical standards in the field of archival science, such as the ICOM Code of Ethics for Museums, the Archives Regulations (Public Access to Deposited Archival Material), 2010, and international ethical codes for documenting trauma victims, including the Global Code of Conduct for Gathering and Using Information about Systematic and Conflict-Related Sexual Violence (Murad Code) and the Ethical Code for Research on Victims of Crime by the Israeli Victimology Association. It aligns with principles of international law and the fundamental rights of victims, including the right to dignity, privacy, security, and the prevention of re-traumatization.

The Commission's work is based on the fundamental principle of "Do no harm", meaning that efforts must be made to prevent or minimize unintended negative consequences of documentation and research activities. Therefore, the welfare of individuals providing information, intermediaries, local communities, and all others involved in the documentation process is a primary concern. The security, physical and psychological well-being, and privacy of these individuals will be prioritized throughout the documentation process. A key concern is the risk of re-traumatization (i.e., reliving trauma) for testifiers, necessitating documenter training for handling such sensitive documentation.

Scope of Application

This **Code of Practice** applies to all aspects of data collection and archiving within the Commission.

1. Digital Archiving

1.1 The digital information received (including photos, videos, social media posts, media files, and emails) will be stored and cataloged in a manner that ensures fidelity to the original and prevents any modifications to the digital data. All relevant accompanying information will be preserved, including documentation on the date the information was received and, where possible, the informed consent of the provider.

1.2 Documentation will be stored in secure, protected, and regularly backed-up systems, organized in structured folders to facilitate retrieval.

- 1.3 Items will be cataloged and archived in a dedicated system according to recognized professional standards. This includes full identification and description of each item, its origin, condition, and other relevant details, in accordance with the item cataloging procedure.
- 1.4 The archival materials will be made available to researchers from various disciplines in Israel and worldwide, as well as to domestic and international judicial tribunals. This will be done in accordance with a clear, transparent, and consistent release policy that aligns with the nature of the materials.
- 1.5 Materials serving as the basis for commission reports and/or academic research will be published in accordance with a defined research methodology.

2. Copyright and Usage Rights

Copyright and usage rights of documentation items will be determined by applicable law.

3. Special Populations

- 3.1. Representation of Special Populations – Recognizing the importance of amplifying the voices of children, people with disabilities, people experiencing trauma, and others as part of shaping the narrative and preserving memory, and taking their needs into account, a proactive and active outreach effort will be made to these populations. This will include the dissemination of an accessible and adapted call for participation.
- 3.2. The procedures for delivering documentation and/or conducting testimonies will be adapted for special populations, including linguistic accommodations, accessibility, and procedural adjustments. A documentation team experienced in working with special populations will be assigned, and group documentation may be used. Additionally, support from uninvolved companions will be permitted during the documentation process, and testimony conditions will be adjusted in terms of location, duration, and scheduling.
- 3.3. Consent for providing documentation and/or testimony will be obtained both from the individual giving the testimony and, where required by law, from their legal guardian.
- 3.4. As stated, publications will be subject to the signed consent form, in accordance with legal requirements, and with consideration of the circumstances of the case.