Informed consent in anthropological research

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In anthropology, informed consent is not a single event but an ongoing process embedded in long-term relationships between researchers and participants. Consent involves continuous negotiation of what counts as "informed" and "voluntary," since anthropological fieldwork depends on trust, immersion, and often close personal connections that develop over time. Research seldom has a clear starting or ending point; trust must be built before formal consent becomes meaningful. Once established, that trust itself becomes part of the research data, while participants may also share information not intended for publication. Consequently, consent to participate does not automatically mean consent to publish everything disclosed. Researchers must exercise judgment and, whenever possible, consult participants about what may be shared.

Because anthropologists often work in communities unfamiliar or uncomfortable with written documentation, obtaining a signature can signal mistrust or officialdom and significantly skew research data or endanger established relations of trust. Power dynamics, literacy levels, and local histories must therefore shape how consent is sought. Written consent can also create risks by generating the only existing record linking participants' names to sensitive material.

Accordingly, anthropologists must determine the appropriate level of consent—individual, group, or both—based on context and local norms. This can only be done after learning how consent is understood and expressed in the field. Researchers must reassess and negotiate boundaries continuously. Although consent is sought when first entering the field, fully informed consent is rarely possible at the outset since participants and researchers may not yet know what will be revealed during the study.

Against this backdrop, anthropologists must treat consent as fluid, negotiated, and revisable, choosing the form—verbal, written, or group-based—that ensures understanding, voluntariness, and participant safety in the specific field context.

Informed consent and the European General Data Protection Regulation (GDPR)

Under the GDPR, anthropological research almost always involves the collection of *personal data*, a legal term that refers to any information relating to an identified or identifiable person, such as interview recordings, fieldnotes, photographs, or observations about individuals. Most anthropologists will also collect *special category data* (sometimes referred to as sensitive data) during their fieldwork, a legal category that includes information about a person's ethnic background, religion, political views, health, or sexuality.

It is important to distinguish between consent under the GDPR and informed consent in research ethics. As university researchers, we collect our data under the GDPR provision of public interest (rather than consent). This allows us to legally collect and analyse personal data without obtaining GDPR consent from each participant, as long as the research is institutionally authorized and appropriate safeguards are in place. By using this public-interest basis, research becomes feasible in many anthropological settings where obtaining formal consent for every interaction would be impractical or impossible, such as participant observation in public events, fleeting encounters in the field, or research involving large, non-identifiable groups. When collecting the aforementioned *special category data,* there is still a consent requirement under the GDPR. However, this may be waived when an argument can be made that acquiring consent is either impossible or would cause unreasonable effort.

In contrast to consent under the GDPR, informed consent in anthropological research ethics is a broader ethical principle that aims to ensure participants understand the research and voluntarily agree to take part. Even when GDPR consent is not required, researchers may still need to obtain informed consent for ethical reasons. Researchers must ensure that participants are appropriately informed, collect only data that are necessary for the research, store data securely, protect confidentiality through anonymisation or pseudonymisation where appropriate, and comply with institutional and legal requirements for handling personal and sensitive data.

The protocols below provide guidance for negotiating ethical consent during participant observation (protocol A) and interviews (protocol B) carried out by anthropologists. These protocols may need to be adapted based on the field context and are not meant to constitute fixed blueprints. Each protocol stipulates necessary documents to be submitted to the FERB on the basis of which approval can be sought.

Protocol A: Informed consent for participant observation

1. **Pre-fieldwork planning**

- Before embarking on participant observation, researchers familiarize themselves with the research context and community. They map institutional and community stakeholders, including important gatekeepers and guardians.
- Preliminary fieldwork may be necessary in order to understand community structures, hierarchies, and vulnerabilities, and to determine how consent procedures will yield consent in a meaningful way (in relation to how consent is understood, how researchers will be perceived etc.).
- If the fieldwork is conducted in an organization, the researcher should obtain necessary institutional permissions before embarking on fieldwork. Obtaining institutional permission does not preclude the necessity to obtain individual consent during fieldwork.
- If the fieldwork is conducted abroad, researchers familiarize themselves with the local ethical codes of conducts and permissions, and check whether an ethical review from a local ethics committee is required.
- Researchers plan context-sensitive modes for introducing themselves and their research, e.g. via meetings, leaflets, announcements, gatekeeper introduction etc.
- Note that gatekeeper permission on a collective level does not replace individual consent. Researchers ought to respect dissenting individuals even when gatekeepers consent.

2. **Entering the field**

- On entering a fieldsite, the researcher should appropriately introduce themselves and their research. This can be done in one-to-one conversations, group meetings, or through local mediators. The researcher should clearly state their researcher identity, the aims of their research, and any potential harms and benefits for participants. They outline their expected presence and how they will interact with participants. They are transparent about data practices like the taking of fieldnotes, possible recordings or taking photographs.
- The researcher records how information was given to participants in their fieldnotes or on audio recording and whether participants have agreed to being part of the research and under which conditions.
- In some contexts, researchers' full disclosure of their research purpose may incur risks for participants (e.g. where a participant may be subject to punishment for their participation in the research by a superior). Where limited disclosure is opted for, a justification should be submitted to the FERB.

3. **Ongoing, situational, and retroactive consent**

- Anthropological research treats consent as continuous and episodic. As relations with participants develop during fieldwork, consent may periodically be renewed or sought retroactively. What is acceptable to be shared might shift over time, as relations gain depth and intimacy. Renegotiated or retroactive consent should be recorded as appropriate (typically in field notes or on audio recording). In cases where participants have shared intimate or sensitive information, researchers should double-

check whether participants are still comfortable with this information being recorded by the researcher.
- Participants may also withdraw their consent or opt out of the research. They do not need to provide a justification for doing so. Researchers stop collecting further data about a participant who has withdrawn consent and clarify whether the person would like to have data collected up to that point deleted.

4. Data collection in public spaces

- In case of data collection at public events, gatherings, and activities (e.g. a festival, demonstration), individual consent is usually not required.
- Researchers may record their observations (including in written form, on audio and video) if they can reasonably assume that participants are aware of the public nature of their engagement in the event/gathering/activity.
- If researchers decide to engage participants one-on-one or if they want to record data that is not meant for public consumption, obtaining individual consent will be necessary.

5. Data collection in digital spaces

- In case of data collection in digital spaces, no individual consent needs to be obtained where data is clearly in the public domain (e.g. on publicly accessible websites or public forums).
- In private and semi-public digital research contexts (such as WhatsApp and Signal groups, Telegram channels, Facebook pages), the researcher will need to make participants aware of their presence, their research purpose, and obtain informed consent before any data is collected. In case of large moderated groups, this may be done by obtaining consent from a group moderator, who should announce the researcher's digital presence and purpose to the group, giving participants meaningful ways of opting out of participating in the research.

6. Covert methods, deception, and high-risk contexts

- Covert observation or deception is exceptional in anthropological research, but may be permissible where the risks of participation are high (for both researcher and participants) and where the benefits clearly outweigh the risks (e.g. research about criminal organisations).
- In cases where researchers opt for covert observation and data collection methods, they need to explain clearly why overt methods are impossible, demonstrate the risks incurred by participants, include a debriefing or disclosure plan after the research is completed (if this is safe), and carefully weigh the risks and benefits in how the community may be impacted.
- If covert work is later revealed, participant safety and potential harms of disclosure need to be taken into account. Revealing covert research may itself harm participants if it undermines trust or exposes them and therefore needs to be carefully considered.

7. Dependents and power hierarchies

- Where children or persons with reduced capacity are involved, legally required consent from parents or guardians needs to be obtained. In cases where a guardian consents but the research participant dissents, the research participant's wishes should be prioritized.

- Power hierarchies in a given setting may compel apparent consent from a participant; researchers must therefore carefully assess voluntariness and provide safe, private spaces for refusal in case this is deemed necessary.

8. Feedback and withdrawal of consent

- Throughout the field research, the researcher needs to make clear that participants may withdraw their consent during the research. When participants withdraw consent they can ask for material collected about them to be deleted (unless the data has already been published or is fully anonymized and thus no longer traceable to the participant's identity).
- Participants should be informed about how their data will be used and stored in the future, and how they may contact the researcher in case they want to withdraw their consent retroactively, or ask for their data to be deleted.

9. Required FERB documentation

- Outline and justify how consent will be obtained during field research in your PRIDE application (including when you choose to not obtain individual consent, e.g. when collecting data at public events), how it will be documented, and (where applicable) how it will be renegotiated/renewed during fieldwork. In case the research involves limited disclosure or covert work, include a justification (though note that this remains an exceptional choice).
- As attachments, submit an information letter and consent form (or scripts) for how you will introduce yourself and obtain consent in a typical interaction with research participants. In the field, consent can be obtained verbally or in written form.
- If consent cannot be obtained (or can only be obtained with disproportionate effort), despite the GDPR requirement for processing special categories of personal data, please provide the reasons and supporting justification.

Protocol B: Informed consent for interviews

1. Prepare participant materials

- Before the interview, researchers produce a short information sheet in plain language and in the participant's preferred language or modality (oral script, pictorial, audio). This sheet can serve as the basis for obtaining informed consent verbally, or may be used to obtain written consent.
- The sheet should include information about the researcher, the purpose of the study, the future use and storage of the data, the modalities of data collection, assurance that the participant may withdraw consent at any time without needing to provide a justification and without any consequences, possibilities for anonymisation, the participant's right to withdraw their data and have any personal information deleted, the benefits and potential risks of participation, contact information of the researcher and the email address of a complaints officer from the faculty.
- The sheet should be clear about what the participant agrees to: just the interview, additional audio/video recording, use of direct quotes etc.

2. Obtaining consent at the start of the interview

- Informed consent should be sought at the start of the interview, either in written or in oral form. If consent is obtained orally, the researcher should use the information sheet as a basis to explain who is doing the research, what the research is about, what it means to participate, options to withdraw from the research, how the data will be used and stored, and any possible risks or benefits that participation might bring. The researcher also explains what they seek consent for: to take notes of the conversation, to audio or video-record, to take photographs during the interview etc.
- Where consent is obtained orally and an interview is recorded, the verbal consent of the participant should be documented on the audio/video recording. In the case where only written notes are taken of the conversation, the consent should be documented in the researcher's fieldnotes.
- Where appropriate and meaningful (e.g. when participants are familiar with academic research norms and consent procedures) the information sheet may be used as a written consent form, and participants can be asked to sign. In this case, they should have the option to provide their legal names, opt for a pseudonym, or use an anonymous consent form.
- Written consent is not mandatory where it will alienate or endanger participants or the researcher, produce discomfort, or where it is simply impossible due to literacy levels, social expectations, or cultural norms. The most common form of consent in anthropological research is verbal consent.

3. During the interview

- During the interview, researchers watch for any signs of distress or confusion, either expressed verbally or through body language that may indicate the withdrawal of consent or a diminished capacity to provide consent in a meaningful way.

- Before raising sensitive topics, researchers should warn the participant, pause, and restate options to continue, refuse participation, or withdraw from the interaction. Throughout the interview the researcher may offer short breaks, and use these to reinstate the terms of consent.
- If a participant withdraws their consent for participation, the researcher should stop recording or note taking and clarify whether previously recorded material may be retained.

4. After the interview

- After the interview, the researcher should thank the participant and offer a socially appropriate recognition of their effort. The researcher further ensures that the participant has their contact details (unless this may be a risk factor) and knows that they can get in touch to withdraw their consent retroactively. Where feasible, the researcher explains how participants can stay informed about research progress and outcome.
- Following the interview, the researcher should document the consent obtained and pseudonymise identifiable data, while securing the raw files according to the project's data management plan.
- If a participant requests withdrawal and/or deletion of their data, the researcher will follow the agreed procedure.

5. Required FERB documentation

- In your PRIDE application, outline how consent for interviews will be obtained and how it will be documented (on written consent sheet, on audio/video recording or as a witness note in fieldnotes).
- As attachment, submit an information sheet and consent form, or—in the case of oral consent—submit an example script. Depending on what interactions you foresee, you can use a combined information sheet/script and consent form/script for participant observation and interviews, or prepare separate sheets/scripts.
- If consent cannot be obtained (or can only be obtained with disproportionate effort), despite the GDPR requirement for processing special categories of personal data, please provide the reasons and supporting justification.