



# Reporting on Migration and Refugees



Republished in November 2021



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The production of the brochure is co-funded by the European Commission – EU Service for Foreign Policy Instruments (EU FPI) within the project “Enhancing Social Cohesion in Communities Hosting People on the Move”.

The European Commission support for the production of this publication does not constitute endorsement of the contents which reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.



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It’s important for editors, reporters, sub-editors and photographers to realise that, when we get it wrong, people suffer directly. Sloppy, unprofessional work on these subjects always hurts the vulnerable in some way. That means always: checking and cross-checking information, being aware of the veracity of sources, being mindful of the language we use and the context in which information is presented.

While there is a widespread awareness of the importance of accurate reporting some of our colleagues continue to print or broadcast myths and misinformation about migrants, refugees and asylum-seekers. Inaccurate terminology and commentary has increased confusion and that breeds prejudice.

We remind you once again that the professional and ethical standards of journalism oblige all journalists and editors to objectively, comprehensively, uniformly and humanely report on migrants and refugees, without using hate speech, discrimination, and referring to violence.

# Reporting on Migration and Refugees

## Refugee or Migrant

### Refugee

Refugees are persons who are outside their country of origin for reasons of feared persecution, conflict, generalized violence, or other circumstances that have seriously disturbed public order and, as a result, require international protection. The refugee definition can be found in the 1951 Convention and regional refugee instruments, as well as UNHCR's Statute.

### Migrant

An umbrella term, not defined under international law, reflecting the common lay understanding of a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. The term includes a number of well-defined legal categories of people, such as migrant workers; persons whose particular types of movements are legally-defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law, such as international students.

# Frequently Asked Questions (FAQs)

## Are the terms ‘refugee’ and ‘migrant’ interchangeable?

No. Although it is becoming increasingly common to see the terms ‘refugee’ and ‘migrant’ used interchangeably in media and public discussions, there is a crucial legal difference between the two. Confusing them can lead to misunderstandings in discussion of asylum and migration.

It’s vital that we use the correct terms and the appropriate language when dealing with sensitive subjects.

## Who is a refugee?

International law defines refugees as people; who are outside their country of origin and; whose life and, or human rights are seriously at risk because of who they are (e.g. their race, nationality, social group) or what they believe (e.g. their religious beliefs or political opinion); and their governments will not or cannot protect them.

Refugees are legally entitled to certain rights and to be protected against forcible return to their countries of origin.

## What is unique about refugees?

Refugees are specifically defined and protected in international law. Refugees are people outside their country of origin because of feared persecution, conflict, violence, or other circumstances that have seriously disturbed public order, and who, as a result, require

'international protection'. They are so recognized precisely because it is too dangerous for them to return home, and they therefore need sanctuary elsewhere. These are people for whom denial of asylum has potentially deadly consequences.

## Who is an asylum-seeker?

Asylum-seekers are people seeking protection as refugees, who are waiting for the government to decide on their applications. In Bosnia and Herzegovina, the Ministry of Security - Asylum Sector is responsible for the people seeking international protection, and they can have access to primary health care, access to primary and secondary education, free legal aid and psychosocial assistance - with UNHCR support. These people are entitled to stay in the state unless their application to be considered as a refugee is rejected. They also have a right to a fair hearing of that application and to an appeal if necessary.

Everybody has a right to seek asylum in another country.

People who don't qualify for protection as refugees will not receive refugee status and may be deported.

## What is regular migration?

Migration that occurs through recognized, authorized channels.

## What is irregular migration?

Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations.

From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not

fulfil the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term “illegal migration” to cases of smuggling of migrants and trafficking in persons.

## Who is irregular migrant?

A person who, owing to unauthorized entry, breach of a condition of entry, or the expiry of his or her visa, lacks legal status in a transit or host country.

The definition covers inter alia those persons who have entered a transit or host country lawfully but have stayed for a longer period than authorized or subsequently taken up unauthorized employment (also called clandestine/undocumented migrant or migrant in an irregular situation).

The term “irregular” is preferable to “illegal” because the latter carries a criminal connotation and is seen as denying migrants’ humanity.

## What is the readmission agreement?

International agreement which addresses procedures, on a reciprocal basis, for one State to return non-nationals in an irregular situation to their home State or a State through which they have transited.

## Do all migrants really always ‘choose’ to migrate?

The factors leading people to move can be complex. Often the causes are multi-faceted. Migrants may move to improve their lives by finding work, or in some cases for education, family reunion, or other reasons. They may also move to alleviate significant hardships that arise from natural disasters, famine, or extreme poverty. People who leave their countries for these reasons would not usually be considered refugees under international law

## Don't migrants also deserve protection?

The reasons why a migrant may leave their countries are often compelling, and finding ways to meet their needs and protect their human rights is important. Migrants are protected by international human rights law. For some, failure to accord them human rights protection can have serious consequences. It may result in human rights violations, such as serious discrimination; arbitrary arrest or detention; or forced labour, servitude, or highly exploitative working conditions.

In addition, some migrants, such as victims of trafficking or unaccompanied or separated children, may have particular needs for protection and assistance, and have the right to have those needs met.

## Who are separated children?

These are persons under 18 who are outside their country of origin and separated from both parents and their usual care givers. A separated child may have an asylum claim. They have unique challenges, including the need for safe accommodation and assistance with presenting their asylum claims, if they need asylum.

An unaccompanied child is separated from both parents and is not being cared for by an adult.

## What is Human Smuggling?

Human smuggling is the facilitation, transportation, attempted transportation or illegal entry of people across an international border, in violation of one or more countries laws, either clandestinely or through deception, such as the use of fraudulent documents.

Often, human smuggling is conducted in order to obtain a financial or other material benefit for the smuggler, although financial gain or material benefit are not necessarily elements of the crime. Human smuggling is generally with the consent of the person(s) being smuggled, who often pay large sums of money.

## What is Human Trafficking?

Conversely, trafficking of human beings is rarely with the consent of the trafficked individual.

Trafficking specifically targets the trafficked person as an object of criminal exploitation. The purpose from the beginning of the trafficking enterprise is to profit from the exploitation of the victim. It follows that fraud, force or coercion all plays a major role in trafficking. It is often the case that trafficked individuals will be exploited at the destination as part of some form of forced labour exploitation.

## What is personal data?

All information that could be used to identify or harm data subjects.

## Data protection?

The systematic application of a set of institutional, technical and physical safeguards that preserve the right to privacy with respect to the collection, storage, use and disclosure of personal data. The international standards for collecting and processing personal data are acknowledged worldwide. However, the lack of a binding international instrument has been the subject of much debate. Bosnia and Herzegovina adopted the Law on the Protection of Personal Data of 2001.

The purpose of this Law is to secure in the territory of Bosnia and Herzegovina for every individual, whatever his nationality or residence, respect for its rights and fundamental freedoms, and in particular his right to privacy, with regard to the processing of personal data relating to the individual.

Ethical considerations:

Respect the privacy and dignity of data subjects.

- Ensure safety and non-discrimination.
- Protect confidentiality of personal data.
- Prevent unauthorized disclosure and inappropriate use of personal data.



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# Interviewing Refugees and Asylum-Seekers

Asylum-seekers and refugees have a right to be heard. However fear of reprisals 'back home', stereotyping, negative coverage and public hostility make many reluctant to talk to journalists.

When seeking interviews:

- be clear about your purpose;
- be sensitive to requests for anonymity;
- inform yourself about countries of origin.

It is an offence to identify an asylum-seeker without their consent. It's important to note that the obligation to protect the identity of an asylum-seeker continues indefinitely regardless of the current status of the individual concerned, whether a refugee, or someone whose claim has been rejected.

## Photography and filming

Take care when publishing images that may identify individuals. If in doubt about the use of images – talk to the people being portrayed making sure you have obtained their permission for use of the image or of footage for television.

## Reporting the cause of asylum-seeking

Relatively little coverage is given to the human rights abuses and conflicts that force people to flee their homes, yet providing this global context would improve the quality of debate around asylum issues.

## Media reporting of migrants and migration

What makes migration – and, particularly, media coverage of the issue – so important now?

One reason might be rising levels of anti-immigration rhetoric and recent gains by anti-immigration political parties in many countries. Across Europe, for example, some voters have moved away from mainstream parties towards “challenger parties” on the basis of their migration policies, especially those who are more politically right-wing.

Negative, even hostile, coverage of migration has accompanied similar rises in anti-immigration parties and political rhetoric. Political debates often scapegoat migrants by reducing the complex causes, impacts and types of migration into easily repeated stories or phrases. But laying blame solely on the media alone for negative attitudes towards migration would oversimplify as well.

Other factors, including demographic change, actual or imagined socioeconomic impacts, and wider policies (such as economic austerity) are also likely to play some part in what is considered to influence the reporting on migration and migrants.

# Five Point Guide for Migration and Refugee Reporting



## 1. Facts not bias

Are we accurate and have we been impartial, inclusive and fact-based in our reporting? Are we acting independently from narratives that stem from politics and emotion rather than facts? Are we fairly and transparently reporting the impact of migration on communities?”



## 2. The law

Asylum seeker? Refugee? Victim of trafficking? Migrant worker? Do we use irregular migrant? Do we understand and use migrant definitions correctly and do we articulate to our audience the rights migrants are due under international, regional and national law?



## 3. Humanity

Humanity is the essence of ethical journalism. But we must keep our emotions in check, avoid victimization, over simplification and the framing of coverage in a narrow humanitarian context that takes no account of the bigger picture.



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Do we have migrant voices? Are we listening to the communities they are passing through or joining? Question how representative self-appointed community and migrant spokespeople really are.



#### **4. For all**

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Question how representative self-appointed community and migrant spokespeople really are.



#### **5. Challenge hate**

Have we taken the time to judge whether inflammatory content about migrants or those who seek to limit migration can lead to hatred?

Words like "swarms", "floods" and "waves" should be treated with caution, as should indiscriminate use of "racism" and "xenophobia."



[www.unhcr.org](http://www.unhcr.org)

## Useful Resources

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### UNHCR Data

<https://www.unhcr.org/data.html>

### IOM Data and Research

<https://www.iom.int/data-and-research>

### Refugee Data Finder

<https://www.unhcr.org/refugee-statistics/>

### Global Compact for Migration

<https://www.iom.int/global-compact-migration>

### UNHCR Operational Data Portal

[www.data2.unhcr.org](http://www.data2.unhcr.org)

### IOM Migration Flows—Europe

<http://migration.iom.int/europe/>